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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND,

6 & 7 VICTORIÆ,

1843.

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A

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lxiii. An Act for making a Railway with other necessary Works to connect certain Coal Fields in the Parishes of *Old Monkland* and *Bothwell* in the County of *Lanark* with the *Monkland* Canal. *Ibid.*

lxiv. An Act for making a Branch Railway from the *London and Birmingham* Railway to *Northampton* and *Peterborough*. *Ibid.*

lxv. An Act to convert the Shares in the Capital authorized to be raised by the Acts for making a Dock or Docks at *Southampton* into Stock; to raise a further Sum of Money; and to alter and amend some of the Powers of the said Acts. 946

lxvi. An Act for amending and rendering more effectual several Acts for draining and preserving certain Fen Lands and Low Grounds in the *Isle of Ely* and Counties of *Norfolk* and *Suffolk*, near *Mildenhall* River, so far as relates to the several Lands in the Second District therein described; and for extending the Limits of the said Second District. *Ibid.*

lxvii. An Act to establish a Cemetery for the Interment of the Dead near the Town and within the Borough of *Southampton*. *Ibid.*

lxviii. An Act for better cleansing, sewering, and draining the Town of *Topsham* in the County of *Devon*, and for other Purposes connected therewith. *Ibid.*

lxix. An Act to provide for the Improvement of the Town and Harbour of *Borrowstounness* in the County of *Linlithgow*; for paving, lighting, and cleansing the Streets of the said Town; and for regulating the Police thereof. *Ibid.*

lxx. An Act for altering and enlarging the Powers of the Act relating to the *Maryport and Carlisle* Railway. *Ibid.*

lxxi. An Act for improving and maintaining the Port or Harbour of *Neath* in the County of *Glamorgan*. *Ibid.*

lxxii. An Act for improving and maintaining the Harbour of *Aberdeen*. *Ibid.*

lxxiii. An Act for better supplying with Water the Borough of *Kingston-upon-Hull*. *Ibid.*

lxxiv. An Act for more effectually supplying with Water the Town of *Bolton*, and several Townships adjacent thereto, in the County of *Lancaster*. *Ibid.*

lxxv. An Act for enabling the Commissioners for paving and sewering the Town of *Liverpool* more effectually to water the Streets of the said Town, and to provide Water for extinguishing Fires therein. *Ibid.*

lxxvi. An Act for draining, embanking, and improving the Fen Lands and Low Grounds within the Parishes, Hamlets, Townships, or Places of *Bardney*, *Southrow* otherwise *Southry*, *Tupholme*, *Buchnall*, *Horsington*, *Stixwould*, *Edlington*, and *Thimbleby*, in the County of *Lincoln*. *Ibid.*

lxxvii. An Act for amending several Acts relating to *Londonderry Bridge*. *Ibid.*

lxxviii. An Act for better paving, lighting, cleansing, and improving the Town and Borough of *Northampton*. 947

lxxix. An Act to make, complete, maintain, and incorporate with the *Monkland and Kirkintilloch* Railway Two improved or additional Lines of Railway; and to alter, amend, enlarge, and repeal the Acts relating to the said Undertaking. *Ibid.*

lxxx. An Act to improve, repair, and maintain the Road from *Inchbelly Bridge* to *Glasgow*, and to make and maintain certain Branch Roads therefrom. *Ibid.*

lxxxi. An Act for more effectually repairing, improving, and maintaining the Roads and Bridges in the County of *Sutherland*, and further regulating the Statute Labour in the said County; and for repairing, improving, and maintaining a certain Portion of Road in the County of *Ross*. *Page* 947

lxxxii. An Act to enable the *Great North of England, Clarence, and Hartlepool* Junction Railway Company to make a Branch Railway; and to explain and amend the Acts relating to the said Railway; and for other Purposes. *Ibid.*

lxxxiii. An Act for altering and amending the *Dundee* Harbour Acts, and for more effectually maintaining, improving, and extending the Harbour of *Dundee*; and for other Purposes connected therewith. *Ibid.*

lxxxiv. An Act to extend the Term and to alter and enlarge the Powers and Provisions of the Acts for erecting, improving, regulating, and maintaining the Ferries and Passages across the River *Tay* in the Counties of *Fife* and *Forfar*, and for establishing a Floating Bridge or Bridges over the said River, with proper Landing Places and Approaches thereto. *Ibid.*

lxxxv. An Act for appointing Trustees for the Creditors of the Burgh of *Paisley*, and other Purposes relating to the financial Affairs of the said Burgh. *Ibid.*

lxxxvi. An Act to render valid an Act for better raising and securing the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. *Ibid.*

lxxxvii. An Act to incorporate the Directors of *Milne*'s Free School in the Town of *Fochabers*, and for the better Government thereof. *Ibid.*

lxxxviii. An Act to alter and amend an Act for the Improvement of the Navigation of the Rivers *Burry*, *Loughor*, and *Lliedi*, in the Counties of *Carmarthen* and *Glamorgan*, and to improve the Harbour of *Llanelly* in the said County of *Carmarthen*. *Ibid.*

lxxxix. An Act to enable the *Edinburgh* Water Company to bring in an additional Supply of Water; and to alter and amend the Acts relating to the said Company. 948

xc. An Act to incorporate the Members of the Institution called the Infant Orphan Asylum, and to enable them the better to carry on their charitable Designs. *Ibid.*

xci. An Act for more effectually repairing the Road from the new Wall on the Parade in *Castleton* in the Parish of *Rochdale*, through *Middleton*, to the Mere Stone in *Great Heaton* and to the Town of *Manchester*, all in the County Palatine of *Lancaster*; and for making a Diversion in the Line of such Road. *Ibid.*

xcii. An Act for appointing the Royal Burgh of *Dingwall* to be the Head Burgh of the Shire of *Ross*, and for giving cumulative Jurisdiction to the Justices of the Peace of the Counties of *Ross* and *Cromarty*. *Ibid.*

xciii. An Act for regulating the Police, and paving, cleansing, and lighting the Streets of the Town or Barony of *Gorbals* in the County of *Lanark*, and Grounds adjacent; and for other Purposes relating thereto. *Ibid.*

xciv. An Act for repairing and maintaining the Roads from *Spalding High Bridge*, through *Littleworth*, to *James Deeping Stone Bridge* and *Handley's Bridge* in the County of *Lincoln*, and from *Deeping Stone Bridge Maxey Outgang* in the County of *Northampton*. *Ibid.*

xcv. An Act for more effectually repairing the Road from the Town of *Cromford* to the Town of *Belper*, and the Road from the Main Road near the River *Amber* to

the Turnpike Road at *Bull Bridge*, all in the County of *Derby*. *Page* 948

xcvi. An Act for more effectually repairing the Road from the Borough of *Leicester* to the City of *Peterborough*. *Ibid.*

xcvii. An Act for making and maintaining Highways, Roads, Bridges, and Quays, and for regulating Ferries, in the Shire of *Argyll*; and for altering and repairing certain Military and other Roads, Bridges, and Quays in the said Shire. 949

xcviii. An Act to alter and amend certain Provisions of the Acts relating to the Docks and Harbour of *Liverpool*. *Ibid.*

xcix. An Act to consolidate, amend, and extend the Provisions of several Acts, for the better paving, watching, lighting, and cleansing, and for regulating the Police of the City of *Glasgow* and adjoining Districts, and also for managing the Statute Labour of the said City; and for other Purposes in relation thereto. *Ibid.*

c. An Act for amending an Act passed in the Second Year of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*, so far as the same relates to the said Lands in *Lough Foyle*. *Ibid.*

ci. An Act for establishing an Office for the Benefit of Coalwhippers of the Port of *London*; and for staying certain Actions in respect of Fitters Certificates. *Ibid.*

cii. An Act for the more equal Applotment of certain Rates in the County of the City of *Dublin* and County of *Dublin* respectively. 958

ciii. An Act for maintaining the Railway called "The *Belfast and Cavehill* Railway," and for reviving and extending some of the Powers of the Acts relating thereto. *Page* 958

civ. An Act to incorporate the Persons having Claims upon the *Lagan* Navigation in *Ireland*, and to provide for the future Management and Improvement of the said Navigation. *Ibid.*

cv. An Act for the Improvement of the Burgh of *Anderston* in the County of *Lanark*; for regulating the Police thereof, and of certain Lands adjacent; and for other Purposes relating thereto. *Ibid.*

cvi. An Act for making and maintaining a Reservoir at *Deerhope* or *Fairliehope* on the River *North Esk* in the Counties of *Edinburgh* and *Peebles*; and for other Purposes relating thereto. *Ibid.*

cvii. An Act to enable the *Glasgow* Marine Insurance Company to sue and be sued; and for other Purposes relating to the said Company. *Ibid.*

cviii. An Act for more effectually repairing certain Roads in the Parishes of *Bermondsey*, *Rotherhithe*, and *Saint Paul* and *Saint Nicholas Deptford*, and for making several new Roads connected therewith, all in the Counties of *Surrey* and *Kent*. *Ibid.*

cix. An Act for the better Protection of Property in the Borough of *Liverpool* from Fire. *Ibid.*

cx. An Act to enlarge the Powers granted by an Act of the Fourth Year of Her present Majesty, intituled *An Act for granting certain Powers to the* British *Iron Company*, and to facilitate the Sale of the Estates and Properties belonging to the said Company. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for inclosing Lands in the Parish of *Littleton* in the County of *Southampton*. *Page* 959

2. An Act for confirming a Settlement and Jointure Provision made by the Right Honourable *Thomas William* Earl of *Leicester*, of *Holkham* in the County of *Norfolk*, during his Minority, out of certain entailed Estates in the County of *Norfolk*, in favour of *Juliana Whitbread* Spinster, in contemplation of their Marriage. *Ibid.*

3. An Act for inclosing Lands within the Manor and Hamlet of *Grafton*, situate in that Part of the Parish of *Langford* which lies in the County of *Oxford*. *Ibid.*

4. An Act for inclosing Lands in the Parish of *Great Gransden* in the County of *Huntingdon*. *Ibid.*

5. An Act for inclosing Lands in the Manor and Parish of *Charlwood* in the County of *Surrey*. *Ibid.*

6. An Act for inclosing Lands in the Township of *Cliffe-cum-Lund* in the Parish of *Hemingbrough* in the East Riding of the County of *York*. *Ibid.*

7. An Act for inclosing Lands in the Parish of *Chalgrove* in the County of *Oxford*. 960

8. An Act for inclosing Lands in the Parish of *Haddenham* in the *Isle of Ely* in the County of *Cambridge*. *Page* 960

9. An Act for inclosing Lands in the Parish of *Great Bromley* in the County of *Essex*. *Ibid.*

10. An Act for inclosing Lands in *Sowerby* and *Soyland* in the Parish of *Halifax* in the West Riding of the County of *York*. *Ibid.*

11. An Act for vesting the entailed Estates of *Wester Fairnie* and others in the County of *Fife*, belonging to *Francis Balfour* Esquire, in Trustees, to sell the same, or such Part thereof as may be necessary, and to apply the Price arising therefrom in the Payment of the Debts affecting or that may be made to affect the said Estates. *Ibid.*

12. An Act for authorizing Surrenders of certain Leases for Lives of Manors and Hereditaments in the County of *Cornwall* (late the Estate and Property of Sir *Christopher Hawkins* Baronet, deceased,) by the Tenants for Life in Possession under his Will, and other Persons, and the Acceptance of renewed Leases, with certain Exceptions and Reservations. *Ibid.*

13. An Act for inclosing Lands in the Parish of *Leighton Bussard* in the County of *Bedford*. *Page* 960
14. An Act for inclosing Lands in the several Parishes of *Eglwys-rhos, Llandudno*, and *Llangwstenin* in the County of *Carnarvon*, and in the Parish of *Llandrillo* in the Counties of *Denbigh* and *Carnarvon* or either of them. *Ibid.*
15. An Act to enable *John* Lord *Gray* to borrow a certain Sum of Money upon the Security of his entailed Estates of *Gray* and *Kinfauns*; and to extinguish certain Claims for Money laid out in Improvements affecting the said Estates. 961
16. An Act for the Division of the Rectory of *Walton-on-the-Hill* in the County Palatine of *Lancaster*, and for authorizing Sales and Conveyances in Fee, or Leases for long Terms of Years, for Building Purposes, and other Dispositions, to be made of the Lands and Revenues belonging to the said Rectory and to the Vicarage of *Walton-on-the-Hill*, for the Endowment of such separate Rectories and the Augmentation of such Vicarage. *Ibid.*
17. An Act to enable the Most Noble *James* Marquess of *Abercorn* to uplift certain Sums of Money lying in Bank, and to borrow upon the Security of the entailed Estates of *Paisley* and *Duddingstone* such further Sum as may be necessary, for Repayment to him of a Portion of the Monies laid out on the Improvement of the said Estates; and to enlarge the Power of feuing the same. *Ibid.*
18. An Act for authorizing the Disposition, by way of Partition, Lease, or Sale, of certain undivided Parts or Shares belonging in Possession and in Expectancy to the Ladies *Horatia Elizabeth* and *Ida Anna Waldegrave*, Infants, of and in the Manors of *Whittlesey* otherwise *Whittlesea Saint Mary* and *Saint Andrew*, and the Rectories of *Whittlesey* otherwise *Whittlesea Saint Mary* and *Saint Andrew*, and certain Rent-charges created in Commutation of Tithes, Messuages, Lands, and other Hereditaments in the *Isle of Ely* in the County of *Cambridge*. *Ibid.*
19. An Act for vesting in *Charles Noel Welman* Esquire and his Heirs certain Estates in the Parishes of *Trull, Pitminster, Wilton*, and *Taunton Saint Mary Magdalen*, in the County of *Somerset*, holden under the Marriage Settlements of *Charles Noel* Earl of *Gainsborough* and *Elizabeth* his first Wife, deceased, discharged from the Uses of the same Settlements and of all subsequent Assurances, and for substituting and settling certain Estates in the Parish of *Weston Zoyland* in the same County in lieu thereof and to the like Uses. *Ibid.*
20. An Act to authorize the granting of Building and Repairing Leases of Lands in the County of *Kent* formerly belonging to *Francis M'Culloh, George Boone Roupell*, and *James Browne Horner* in undivided Shares. *Ibid.*
21. An Act for enlarging the Power to grant Building Leases contained in the Will of *John Wilkinson* Esquire, Doctor of Physic, deceased; and for other Purposes. *Page* 961
22. An Act for authorizing Leases and Setts to be granted of and in an Estate in the Parish of *Newlyn* in the County of *Cornwall*, devised by the Will of *John Oxnam* deceased to *John Oxnam* for his Life, with divers Remainders over. *Ibid.*
23. An Act for settling and establishing the Rights of the resident Freemen and resident Widows of Freemen of the Borough of *Berwick-upon-Tweed* in the Property vested in the Mayor, Aldermen, and Burgesses of that Borough; and for other Purposes. *Ibid.*
24. An Act for rendering valid a certain Award as to the Commons of *Saggart* within the Parish of *Saggart* in the County of *Dublin*. *Ibid.*
25. An Act for authorizing the Sale of Portion of the Real Estate devised by the Will of *Richard Fox* of *Foxhall* in the County of *Longford*, Esquire, deceased, and vesting the Residue thereof in *Richard Maxwell Fox* of *Foxhall* aforesaid, Esquire, his Heirs and Assigns, in Fee Simple, and for vesting certain Lands and Hereditaments of the said *Richard Maxwell Fox* in the Right Honourable *Henry* Lord Baron *Farnham*, in lieu thereof, to the Uses and upon the Trusts of the said Will. *Ibid.*
26. An Act to vest certain Parts of the entailed Estate of *Duchall* in the County of *Renfrew* in Trustees, to sell the same, and apply the Price thereof in discharging the Debts and Provisions affecting the said entailed Estate, and, if necessary, in purchasing the Teinds thereof. 962
27. An Act to confirm Two existing Leases, and to enable the Reverend *James White*, and the Persons for the Time being entitled to certain Estates situate in the Parish of *Bonchurch* in the *Isle of Wight* in the County of *Southampton*, devised by the Will of *Charles Fitzmaurice Hill* Esquire, deceased, to accept Surrenders of existing Leases, and to grant new Leases in lieu thereof. *Ibid.*
28. An Act for vesting Part of the settled Estates of the Right Honourable *John* Earl of *Shrewsbury*, in the Counties of *Oxford, Chester, Salop, Worcester*, and *Stafford*, in Trustees, to be sold, and for laying out the Monies to arise by such Sale in the Purchase of other Lands and Hereditaments, to be settled in lieu thereof to the same Uses and subject to the same Restrictions; and for other Purposes therein mentioned. *Ibid.*
29. An Act for enabling certain Persons, on behalf of *John Weston* (a Person of unsound Mind) and *Sarah* his Wife and of *John Jones* (also a Person of unsound Mind), to join in carrying into effect a Compromise and Arrangement with other Parties for a Division of the Real Estates of *Arthur Gramer Miller* deceased, according to a Rule of Her Majesty's Court of Exchequer of Pleas. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

30. An Act to enable *Thomas Fuller Drought* Esquire and his Issue Male to take the Surname and use the Arms of *Samwell*, pursuant to the Will of Sir *Thomas Samwell* Baronet, deceased.
31. An Act for naturalizing Dame *Virginie Marie Hesketh Fleetwood*, the Wife of Sir *Peter Hesketh Fleetwood* Baronet.
32. An Act to enable *Henry Caswall* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment in the United Church of *England* and *Ireland*.
33. An Act to dissolve the Marriage of *Nicholas Kendall* Esquire with *Mary Anne* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
34. An Act to dissolve the Marriage of *William Watson* Esquire with the Honorable *Catharine Georgiana* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
35. An Act to declare that certain Persons therein mentioned are not Children of the Most Honourable *George Ferrars* Marquis *Townshend*.
36. An Act to dissolve the Marriage of *John Todhunter* with *Rosa Matilda* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
37. An Act to dissolve the Marriage of *William Oliver Jackson* Esquire with *Georgiana Maria Jane Jackson* his now Wife, and to enable him to marry again; and for other Purposes.
38. An Act for naturalizing *Carl Joachim Hambro*.
39. An Act to dissolve the Marriage of *Herbert Morgan* Esquire, a Lieutenant in Her Majesty's First or Royal Regiment of Dragoons, with *Elizabeth Morgan* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Sexto & Septimo.

'AT the Parliament begun and holden at *Westminster*, the Nineteenth Day of *August*, *Anno Domini* 1841, in the Fifth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: And from thence continued, by several Prorogations, to the Second Day of *February* 1843; being the Third Session of the Fourteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to enable Her Majesty to indemnify the Holders of certain forged Exchequer Bills. [3d *March* 1843.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for appointing Commissioners to inquire into the Issue, Receipt, Circulation, and Possession of certain forged Exchequer Bills*, the Right Honourable *William* Earl of *Devon*, *Henry John Stephen* Esquire, Serjeant at Law, and *Robert Mitford* Esquire, were constituted Commissioners of Inquiry into the Manner in which certain Documents purporting to be Exchequer Bills were made and issued, and in which the same came into the Possession of the Parties by whom they were then holden, and the said Commissioners were directed to report from Time to Time to Her Majesty what they should find with respect to the several Matters into which they were directed by the said Act of Parliament to inquire: And whereas the said Commissioners have made their Report to Her Majesty bearing Date the Second Day of *August* in the Year One thousand eight hundred and forty-two, wherein they have classified the Holders of the said Documents under Four Classes, according to the Degree in which the Parties appeared to them to have become possessed thereof in the usual Course of Business, without Knowledge or Suspicion that they were other than genuine, or had been improperly obtained by any Person whatever, and according to the Degree in which they appeared to have acted with proper Caution: And whereas it is expedient to make Provision for enabling Her Majesty to indemnify such of the Holders of the said Documents as appear entitled to Her Majesty's Consideration, and that Her Majesty should be empowered to direct Exchequer Bills to be issued to such Parties, under the Regulations herein-after contained:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* at any Time or Times to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and sixty-two thousand Pounds, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another Act passed in the last Session of Parliament, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills*.

5 & 6 Vict. c. 11.

Treasury may raise 262,000*l.* by Exchequer Bills.

48 G. 3. c. 1.

4 & 5 W. 4. c. 15.

5 & 6 Vict. c. 66.

II. And be it enacted, That all the Clauses of the said Acts shall be applied to the Exchequer Bills to be made out in pursuance of this Act as fully as if the said several Clauses had been herein particularly re-enacted.

The Clauses in recited Acts extended to this Act.

III. And be it enacted, That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be charged upon and shall be paid out of any Supplies to be granted in the next Session of Parliament.

Bills to be payable out of Supplies of next Session.

Interest on Exchequer Bills.

IV. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall bear an Interest not exceeding the Rate of Three-pence *per Centum per Diem* in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Bank of *England* standing to the Credit of the Exchequer.

Bills to be current at the Exchequer after Twelve Calendar Months from their Dates.

V. And be it enacted, That all the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall after Twelve Calendar Months from their respective Dates be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted or payable or which shall hereafter be granted or payable to Her Majesty, Her Heirs and Successors, and also at the Bank of *England*, to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

The Treasury to apply the Money raised.

VI. And be it enacted, That it shall be lawful for the said Commissioners of the Treasury to issue from Time to Time to the several Persons named in the Schedule marked (A.) annexed to this Act, upon Application of such Persons severally, or of some Person duly authorized in their Behalf, Exchequer Bills to be made out in pursuance of this Act, in Value not exceeding in each Case the Amount set against the Name of each such Person in the said Schedule respectively: Provided always, that every such Applicant shall produce and deliver to the said Commissioners a Certificate under the Hand of the Comptroller of the Exchequer that the several Documents specified in the first-mentioned Act of the last Session of Parliament, and set opposite to the Name of such Applicant in the Schedule annexed to this Act, have been deposited in the Office of the Exchequer.

The Attorney General may sue for the Amount from any previous Holder.

VII. And be it enacted, That the Attorney General shall be entitled, in the Name of Her Majesty, to sue for and recover the Amount for which any such forged Exchequer Bill purported to have been issued from any Person who was at any Time possessed thereof, and through whom, mediately or immediately, the Possession thereof came to the Applicant so indemnified; and in such Suit it shall not be necessary to give any Evidence, except for proving that the Party sued was one through whom the Possession of such forged Exchequer Bill came to the Person indemnified as aforesaid: Provided always, that any Person so sued shall be entitled in such Suit to plead any Matters which would have been a valid Defence in case the Suit had been brought against him or her by the Party who immediately received such forged Exchequer Bill from him or her.

As to Monies recovered.

VIII. And be it enacted, That all Monies so recovered shall be paid into the Bank of *England* to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Act may be amended.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

SCHEDULE (A.) referred to in the foregoing Act.

Name of Party.	Numbers of the Bills.	Act.	Amount.
			£
Anderson, Major James	N° 7,065 8,284 8,388 @ 8,400	4 Vic. c. 19. 3 & 4 Vic. c. 106. 3 & 4 Vic. c. 106.	15,000
Bank of England	N° 8,278 @ 8,282 8,374 @ 8,376	3 & 4 Vic. c. 106.	8,000
Barnewall, Henry, Esq.	N° 7,086	4 Vic. c. 19.	1,000
Bell and Steward, Messrs.	N° 6,495 @ 6,497	4 Vic. c. 19.	3,000
Blake, John, Esq.	N° 8,380	3 & 4 Vic. c. 106.	1,000
Boys, Mr. Thomas	N° 7,102	4 Vic. c. 19.	1,000
Browne, Mr. Thomas	N° 8,381 @ 8,382	3 & 4 Vic. c. 106.	2,000
Clapcott, George Bunter, Esq.	N° 7,052 @ 7,056	4 Vic. c. 19.	5,000
Commercial Bank of London	N° 7,103 8,364 @ 8,368 8,370 @ 8,373	4 Vic. c. 19. 3 & 4 Vic. c. 106.	10,000
Coutts and Co., Messrs.	N° 6,414 6,424 @ 6,432 6,446 @ 6,459 6,465 @ 6,473 6,489 @ 6,492 7,094 @ 7,095	4 Vic. c. 19	39,000
Currie and Co., Messrs., and Mr. Henry Currie	N° 7,057 @ 7,064 8,445 @ 8,446	4 Vic. c. 19. 3 & 4 Vic. c. 106.	10,000
Dobson, Mr. William	N° 8,274 8,369	3 & 4 Vic. c. 106.	2,000
Henriques, David Neves, Esq.	N° 8,283	3 & 4 Vic. c. 106.	1,000

Name of Party.	Numbers of the Bills.	Act.	Amount.
			£
Hichens and Harrison, Messrs. R. and W.	No 7,067 7,069 7,071 7,097	4 Vic. c. 19.	9,000
	8,411 8,463 8,304 @ 8,306	3 & 4 Vic. c. 106.	
Hoare, Messrs.	No 7,070 7,098	4 Vic. c. 19.	24,000
	8,379 8,385 8,406 8,412 @ 8,416 8,429 @ 8,436 8,457 @ 8,462	3 & 4 Vic. c. 106.	
London Joint Stock Bank	No 6,434 @ 6,443	4 Vic. c. 19.	18,000
	8,401 @ 8,402 8,404 @ 8,405 8,407 @ 8,410	3 & 4 Vic. c. 106.	
Margrave, Thomas Jones, Esq.	No 8,403	3 & 4 Vic. c. 106.	1,000
Maynard, Henry, Esq.	No 7,073	4 Vic. c. 19.	1,000
Nash, Zachary, Esq.	No 7,076 7,082	4 Vic. c. 19.	2,000
Price and Co., Messrs.	No 7,096	4 Vic. c. 19.	26,000
	7,910 @ 7,930 8,386 @ 8,387 8,470 @ 8,471	3 & 4 Vic. c. 106.	
Ransom and Co., Messrs.	No 8,285 @ 8,299 8,464 @ 8,469	3 & 4 Vic. c. 106.	21,000
Shaw, Sir James, Bart.	No 7,077 @ 7,081	4 Vic. c. 19.	40,000
	8,271 @ 8,273 8,300 @ 8,303 8,314 @ 8,318 8,354 @ 8,363 8,442 @ 8,444 8,447 @ 8,456	3 & 4 Vic. c. 106.	
Sherman, Mr. Edward	No 6,474 @ 6,488	4 Vic. c. 19.	15,000
Vickery, Joseph Paice, Esq.	No 6,416 @ 6,420	4 Vic. c. 19.	5,000
Wolfe, Brothers, and Co., Messrs.	No 8,307 8,308	3 & 4 Vic. c. 106.	2,000

CAP. II.

An Act to discontinue certain Actions under the Provisions of an Act of the Second Year of King *William* the Fourth, for regulating the Vend and Delivery of Coals in the Cities of *London* and *Westminster*, and in certain Parts of the adjacent Counties. [3d *March* 1843.]

'WHEREAS by an Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London *and* Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire, it was amongst other things enacted, that every Fitter or other Person vending or delivering Coals for the Port of *London* should send, in a Letter directed to the Clerk of the Coal Market, and put into the General Post Office on the Day on which the Ship or Vessel containing any Coals should sail on any such Voyage, or should give to the Shipmaster of such Ship or Vessel before the same should sail on every or any such Voyage, a Certificate, signed by such Fitter, containing the Day of the Month and Year of such loading, the Master's and Ship's Names, and the Quantity of Tons, and the usual Names of the several and respective Collieries out of which the said Coals were and should be wrought and gotten, and the Price paid by the Master or Masters for each and every Sort of Coals that each and every Fitter or other Person vending or delivering Coals as aforesaid, his or their Agent or Servant, had sold and loaded on board each and every Ship or Vessel; and in case any Person or Persons should omit or refuse to give such Certificate as aforesaid, or should give or make any false Certificate, every Person so offending should for every such Offence forfeit and pay the Sum 1 & 2 W. 4. c. lxxvi.

'of One hundred Pounds: And whereas by the said Act the said Penalty and Forfeiture is made 'recoverable in manner in the said Act directed: And whereas divers Fitters and other Persons have 'inadvertently omitted to comply with the aforesaid Provision of the said Act, and many Actions, Bills, 'Plaints, and Informations have been brought and may be commenced against such Fitters and other 'Persons, or some of them, by Persons who sue, inform, and prosecute, as well on their own Behalf as on 'behalf of Her Majesty, to recover various Penalties incurred or alleged to have been incurred under or 'by virtue of the said Act, by reason of such Neglect; and it is expedient that all further Proceedings in 'such Actions, Bills, Plaints, and Informations should be prevented:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted for the Recovery of any pecuniary Penalty or Penalties incurred on or before the Day of the passing of this Act, under the aforesaid Provision of the said Act, for not inserting in the Fitter's Certificate the usual Names of the several and respective Collieries out of which the said Coals should be wrought and gotten, to apply to the Court in which such Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Westminster*, for an Order that such Action, Bill, Plaint, or Information shall be discontinued upon Payment of the Costs thereof incurred to the Time of such Application being made, such Costs to be taxed according to the Form of such Court; and every such Court or Judge is hereby authorized and required, upon such Application, to make such Order as aforesaid, and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Action, Bill, Plaint, or Information shall be forthwith discontinued: Provided always, that if it shall be made to appear to the said Court or Judge, by Affidavit or otherwise, that any Penalty or Penalties sought to be recovered in any such Action, Bill, Plaint, or Information has been incurred by the Fraud of the Defendant or Defendants in such Action, Bill, Plaint, or Information, then and in every such Case it shall be lawful for such Court or Judge to refuse to make such Order as to such Penalty or Penalties, and thereupon to make such other Order as to the said Court or Judge shall seem expedient.

Actions and Informations to be discontinued, upon Application to Courts of Law.

Proviso as to Penalties incurred by Fraud.

Public Act.

II. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

CAP. III.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [3d *April* 1843.]

[*Number of Forces*, 100,846. *This Act is the same, except as to Dates and the Sections here inserted, as 5 & 6 Vict. c.* 12.]

Persons subject to this Act.

XXXII. And be it enacted, That all the Provisions of this Act shall apply to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to the Forces of the *East India* Company while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, and to Persons in the Ordnance and in the Commissariat Departments, who are or shall be serving with any Part of Her Majesty's Forces, at home or abroad, under the Command of any Officer having Commission from Her Majesty, or from His late Majesty King *William* the Fourth, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of Her Majesty's Ordnance Establishments at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Act to extend to Jersey, Guernsey, &c.

XXXV. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, and also as to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting, or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer or on account of any Debts under Thirty Pounds in the said Islands.

Offences connected with Enlistment.

XXXVIII. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice,

Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary at War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, or into Her Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity upon being attested, or to have designedly made any false Representation as aforesaid, to adjudge such Person, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds and Vagrants and incorrigible Rogues; and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned in any Prison or House of Correction for any Period not exceeding Six Months, and with or without hard Labour; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service or any other Money, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning, if in *England*, of an Act intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*; and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*; and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary at War by the Justice before whom such Proof shall have been given; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Acknowledgment of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, into which he shall have so enlisted; provided that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland*, in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from

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from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Ferries.

LXIII. And be it enacted, That when any Soldiers on Service have Occasion in their March by Route to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in all such Cases pay only Half the ordinary Rate for such Boat.

Penalty on purchasing Soldiers Necessaries, Stores, &c.

LXVI. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, or shall be employed by any Soldier knowing him to be such, to sell, any Arms, Ammunition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction of the former Offence; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of each or of any of Her Majesty's Colonies, on the Recommendation of the Officer for the Time being administering the Government of any such Colony, but not otherwise, to make Provision by Law for reducing such pecuniary Penalty if not exceeding Twenty Pounds to such Amount as may to any such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the full Penalty hereby imposed: Provided always, that it shall be competent to Her Majesty, or to the Person administering the Government of any such Colony on Her Majesty's Behalf, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer as aforesaid in respect of any other Law made or enacted by any such Colonial Legislature.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT.

Enlisting for unlimited Service.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of until you shall legally be discharged?
9. On what Day, at what Hour, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or Navy, or have you ever been rejected as unfit for Her Majesty's Service upon any prior Enlistment?

Note.—The Justice is directed in putting the Eleventh Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

CAP. IV.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[3d *April* 1843.]

[*This Act is the same, except as to Dates and the Sections here inserted, as 5 & 6 Vict. c.* 13.]

General Courts-martial may sentence Offenders to Imprisonment, &c.

X. And be it enacted, That a General Court-martial may sentence any Marine to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court, or the Commissioners for the Time being for executing the Office of Lord High Admiral of the United Kingdom, or the Officer commanding the Division or Detachment to which the Offender belongs or is attached, shall appoint, or to Corporal Punishment not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; but no such solitary Confinement shall exceed One Month at a Time, or Three Months at different Times with Intervals of not less than One Month between such Times in One Year; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay and Pension on Discharge which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for any certain Term of Years, or to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall be pleased to direct, or if such Offender shall have enlisted for any limited Term, may sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall be pleased to direct; and such Court may, in addition to any other Punishment, sentence any such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial it shall be lawful for Her Majesty, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as to Her Majesty shall seem meet.

District or Garrison Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, *Saint Helena*, *Africa*, *Jamaica*, *Honduras*, *Newfoundland*, and the *Australian* Colonies, where it may consist of not less than Five Commissioned Officers; and that it shall be lawful for such Court, whether assembled under the Authority of this Act, or of an Act of the present Session of Parliament for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with Her Majesty's Land Forces or otherwise, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court, or the Commissioners aforesaid, or the Officer commanding the Division or Detachment to which the Offender belongs or is attached, shall appoint, or to Corporal Punishment not extending to Life or Limb, for any such Offence; but no such solitary Confinement shall exceed One Month at a Time, or Three Months at different Times with Intervals of not less than One Month between such Times in One Year; and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes; in malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military, Divisional, or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying Public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature; and such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from Her Majesty's Service; and any such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Liquor, or of his Allowance in lieu of Beer or Liquor, or of any Proportion thereof, or of any Portion of additional or daily Pay, for any Period not exceeding Two Years, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the aforegoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed

confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial: Provided always, that such District or Garrison Court-martial shall not have Power to pass any Sentence of Death or Transportation.

Offences connected with Enlistment.

XL. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before a Justice, or shall absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and any Recruit who shall enlist into Her Majesty's Royal Marine Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into a Garrison or Veteran or Invalid Battalion, and shall be entitled to receive such Proportion or Residue of Bounty only as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may allow in that Behalf instead of the Bounty upon which such Man shall have been enlisted, any Act or any Rules and Regulations to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom any Recruit shall be brought, and who shall be proved upon Oath before them to have wilfully concealed his having been a Marine or Soldier and discharged, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity upon being attested, or designedly made any false Representation, to adjudge such Person, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted on Rogues and Vagabonds and Vagrants and incorrigible Rogues, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned in any Prison or House of Correction for any Period not exceeding Six Months, and with or without hard Labour; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall thereby obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith;* and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his having been attested; and that Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marines, or Ordnance, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man who having been enrolled to serve in the Militia, and who at the Time of offering to enlist into the Marines shall deny that he is a Militia Man, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-mentioned Acknowledgment of such Person, certified by the Secretary of the Admiralty, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Division of Her Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted

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enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Exemption from Tolls.

LII. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, but not when passing in any private or hired Vehicle, and all Recruits marching by Route, and all Carriages and Horses belonging to Her Majesty, or employed in Her Service, under the Provisions of this Act, when employed in conveying Persons or Baggage, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service, when conveying Persons or Baggage under the Provisions of this Act, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalty for purchasing Clothes, &c. from any Marine.

LV. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall, for every such Offence, forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same, proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

Recovery of Penalties.

LXII. And be it enacted, That all Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in that Part of the United Kingdom in or near to which the Offence shall be committed; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered, under the Provisions of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others;* and by another Act passed in the Fifth Year of the Reign of His said Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, and for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in

3 G. 4. c. 23.

5 G. 4. c. 18.

any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy?
13. Have you served in the Army, Marines, Ordnance, or Navy, or have you ever been rejected as unfit for Her Majesty's Service upon any prior Enlistment?

Note.—The Justice is directed first to ascertain that Twenty-four Hours have elapsed since the Enlistment took place, and in putting the Eleventh Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia and denies the Fact, he is liable to Six Months Imprisonment.

CAP. V.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-three. [3d *April* 1843.]

CAP. VI.

An Act to alter the Hours within which certain Oaths and Declarations are to be made and subscribed in the House of Peers. [3d *April* 1843.]

30 Car. 2. st. 2.

'WHEREAS by an Act passed in the Thirtieth Year of the Reign of King *Charles* the Second, intituled *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, certain Oaths and Declarations are required to be made and subscribed by Peers and Members of the House of Peers, which said Oaths and Declarations are required to be made and subscribed between the Hours of Nine in the Morning and Four in the Afternoon: And whereas it is expedient that the Time for making the said Oaths and subscribing the said Declarations by Peers and Members of the House of Peers should be extended as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Oaths and Declarations, and all other Oaths or Declarations required to be made and subscribed by Peers and Members of the House of Peers at the Table of the said House, shall and may be made and subscribed betwixt the Hours of Nine in the Morning and Five in the Afternoon; and that the said Oaths and Declarations made and subscribed between the Hours last aforesaid shall be as effectual to all Intents and Purposes as if made and subscribed within the Hours mentioned in the said recited Act.

Extension of the Time for Peers to make Oaths, &c. in the House of Lords till Five o'Clock in the Afternoon.

CAP. VII.

An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets of Leave. [3d *April* 1843.]

2&3W.4. c.62.

'WHEREAS by an Act passed in the Third Year of the Reign of His late Majesty, intituled *An Act for abolishing the Punishment of Death in certain Cases, and substituting a lesser Punishment in lieu thereof*, it is among other things enacted, that neither the Governor nor Lieutenant Governor of any Island, Colony, or Settlement, or any other Person, shall give any Pardon or Ticket of Leave to any Person sentenced to Transportation, or who shall receive a Pardon on condition of Transportation, or any Order or Permission to suspend or remit the Labour of any such Person, except in Cases of Illness, until such Person, if transported for Seven Years, shall have served Four, if transported for Fourteen Years shall have served Six, or if transported for Life shall have served Eight Years of Labour; and that no such Person shall be capable of acquiring or holding any Property, or of bringing any Action for

'the Recovery of any Property, until after such Person shall have duly obtained a Pardon from the 'Governor or Lieutenant Governor of the Colony or Settlement in which he or she shall have been 'confined; provided that nothing therein contained shall in any Manner affect His Majesty's Royal Pre- 'rogative of Mercy: And whereas it is expedient that the Law with respect to Pardons and Tickets of 'Leave should be amended;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the above-recited Act as is herein-before recited shall be repealed.

Repeal of so much of the recited Act as respects Pardons and Tickets of Leave.

II. And be it enacted, That after the Time when this Act shall take effect in any Place to which Felons and Offenders have been or may be transported by Law, neither the Governor nor Lieutenant Governor of such Place shall be empowered as heretofore to remit, either absolutely or conditionally, the Whole or any Part of the Time for which any such Felons or other Offenders shall have been or shall be hereafter transported to such Place, but instead thereof the Governor or Lieutenant Governor shall from Time to Time, by an Instrument in Writing under his Hand, recommend such Felons or other Offenders as he shall think fit to be recommended to Her Majesty for an absolute or conditional Pardon; and in case Her Majesty shall, through One of Her Principal Secretaries of State, signify Her Approval of any such Recommendation, it shall be lawful for the Governor or Lieutenant Governor to grant such absolute or conditional Pardon pursuant to such Instructions as shall be sent to him by the Secretary of State, by an Instrument in Writing under the Seal of his Government, which shall be deemed from the Day of the Date thereof to have, within such Place or Places as shall be specified in such Pardon, but not elsewhere, the same Effect in the Law to all Intents and Purposes as if a general, absolute, or conditional Pardon had passed on that Day under the Great Seal of the United Kingdom.

Manner of granting Pardons.

III. 'And whereas the Practice hath prevailed in those Places to which Felons and Offenders have been 'transported by Law of granting, in certain Cases and on certain Conditions, Permission to such Felons 'and Offenders to employ themselves for their own Benefit (which Permissions are usually called and 'known by the Name of Tickets of Leave), and it is just that they should be protected in their Persons 'and in the Possession of such Property as they may acquire by their Industry while holding such 'Tickets of Leave;' be it enacted, That it shall be lawful for every Felon under Sentence or Order of Transportation who shall hold any such Ticket of Leave, notwithstanding his or her Conviction of Felony, to acquire and hold Personal Property, and to maintain any Action or Suit for the Recovery of any Personal Property so acquired by him or her, and for any Damage or Injury sustained by him or her, in the Courts of the Colony or Place where such Felon shall lawfully reside; and if the Defendant in any such Action or Suit shall plead or allege in his or her Defence the Plaintiff's or Complainant's Conviction of Felony, and the Plaintiff or Complainant shall allege and prove that he or she hath received and doth still continue to hold unrevoked such a Ticket of Leave as aforesaid, a Verdict shall pass and Judgment shall be given for the Plaintiff or Complainant: Provided always, that whenever such Ticket of Leave shall be revoked all Property so acquired by any such Felon shall vest absolutely in Her Majesty, and shall be disposed of at the Discretion of the Governor or Lieutenant Governor, subject to such Instructions as shall be from Time to Time sent to him by One of Her Majesty's Principal Secretaries of State.

Holders of Tickets of Leave enabled to sue for Personal Property.

IV. Provided always, and be it declared and enacted, That no Felon under Sentence of Transportation who shall hold a Ticket of Leave shall be capable of acquiring or holding any Estate in Lands or Tenements other than as Tenant for Years, or for some less Term or Estate, determinable in each Case upon the Revocation of the Ticket of Leave, until after such Felon shall have duly obtained an absolute or conditional Pardon from the Governor or Lieutenant Governor of the Place to which he shall have been so transported, pursuant to the Provisions herein-before contained.

Holders of Tickets of Leave declared incapable of holding Real Property.

V. And be it enacted, That this Act shall be proclaimed by the Governor or Lieutenant Governor of every Place to which Felons and Offenders have been or now may be transported by Law within Six Weeks after a Copy of it shall have been received by him, and shall take effect in every such Place from the Day of the Proclamation thereof; and in case Her Majesty shall be pleased, with the Advice of Her Privy Council, to appoint any new Place or Places beyond the Seas to which Felons and other Offenders under Sentence or Order of Transportation may be conveyed, this Act shall take effect in every such Place from the Time of such Appointment.

Commencement of Act.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended.

CAP. VIII.

An Act to empower Justices of the Peace in *Ireland* to act in certain Cases relating to Rates to which they are chargeable. [3d *April* 1843.]

'WHEREAS Doubts have arisen whether Justices of the Peace in *Ireland* may lawfully act in Cases 'relating to Cesses, Rates, and Taxes to which such Justices respectively are rated or chargeable;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all and every Justice or Justices of the Peace for any County, County of a City or County of a Town, or Borough or Town Corporate, in *Ireland*, within their respective Jurisdictions, to do and perform all Acts appertaining to their Office as Justice or Justices of the Peace under or in execution of the Laws for the Presentment of Public Money by Grand Juries

Justices of the Peace empowered to act in Cases relating to Grand Jury

and Poor Law Rates and other Rates, although liable to such Rates. 9 G. 4. c. 82.

Juries in *Ireland*, or the Laws for the more effectual Relief of the destitute Poor in *Ireland*, or for the Apprehension and Punishment of Vagrants, or under an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to make Provision for lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, or under or in execution of any other Laws concerning local Cesses, Rates, or Taxes, notwithstanding any such Justice or Justices is or are rated to or chargeable with the Cesses, Rates, or Taxes affected by such Act or Acts of such Justice or Justices as aforesaid.

Former Acts of Justices not to be declared void.

II. And be it enacted, That no Act of any such Justice or Justices done before the passing of this Act shall hereafter be quashed or declared void because the same has been done by any such Justice or Justices so rated or chargeable as aforesaid.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. IX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-four; and for the Relief of Clerks to Attornies and Solicitors in certain Cases. [3d *April* 1843.]

[*This Act is the same, except as to Dates, as 5 & 6 Vict. Sess. 2. c. 10.*]

CAP. X.

An Act for removing Doubts as to the Punishment which may be awarded under the Provisions of an Act of the Fourth and Fifth Years of Her present Majesty, "for taking away the Punishment of Death in certain Cases," for certain Offences therein specified. [11th *April* 1843.]

4 & 5 Vict. c. 56. 7 & 8 G. 4. c. 30.

'WHEREAS in and by an Act passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for taking away the Punishment of Death in certain Cases, and substituting other Punishments in lieu thereof*, it was amongst other things enacted, that whereas by an Act passed in the Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to malicious Injuries to Property*, it was amongst other things enacted, that if any Persons riotously and tumultuously assembled together to the Disturbance of the public Peace should unlawfully and with Force demolish, pull down, or destroy, or begin to demolish, pull down, or destroy, any Church or Chapel, or any Chapel for the Religious Worship of Persons dissenting from the United Church of *England* and *Ireland*, duly registered or recorded, or any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop-oust, Barn, Granary, or any Building or Erection used in carrying on any Trade or Manufacture, or any Branch thereof, or any Machinery, whether fixed or moveable, prepared for or employed in any Manufacture, or in any Branch thereof, or any Steam Engine or other Engine for sinking, draining, or working any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggon-way, or Trunk for conveying Minerals from any Mine, every such Offender should be deemed guilty of Felony, and being convicted thereof should suffer Death as a Felon; and that in case of every Felony punishable under that Act every Principal in the Second Degree and every Accessory before the Fact should be punishable with Death or otherwise, in the same Manner as the Principal in the First Degree was by that Act punishable: And whereas it was expedient that the said last-mentioned Offences should be no longer punishable with Death; that from and after the Commencement of the said Act of the Fourth and Fifth Years of the Reign of Her present Majesty, if any Person should be convicted of any of the Offences herein-before specified, whether as Principal, or as Principal in the Second Degree, or as Accessory before the Fact, such Person should not be subject to any Sentence, Judgment, or Punishment of Death, but should, instead of the Sentence or Judgment in and by the said Act herein-before first recited ordered to be given and awarded against Persons convicted of the above-mentioned Offences or any of them respectively, be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not less than Seven Years or to be imprisoned for any Time not exceeding Three Years: And whereas Doubts have arisen whether such Offenders are liable, under the Provisions of the said Act of the Fourth and Fifth Years of the Reign of Her present Majesty herein-before recited, to be transported beyond the Seas for the Term of their natural Lives: And whereas it is expedient to put an end to such Doubts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any Person shall be convicted of any of the Offences herein-before in the said Act first above recited specified such Person shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of the natural Life of such Person, or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, for any Time not exceeding Three Years.

Punishment for Offences herein-before specified.

CAP. XI.

An Act to indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill to exclude the Borough of *Sudbury* from sending Burgesses to serve in Parliament.

[11th *April* 1843.]

'WHEREAS the Commons of *Great Britain* and *Ireland* in Parliament assembled have passed a Bill, intituled *An Act to exclude the Borough of* Sudbury *from sending Burgesses to serve in Parliament:* And whereas it is alleged that there has been open, general, and systematic Bribery and Corruption at the last Election of Burgesses to serve in Parliament for the Borough of *Sudbury:* And whereas it may be desirable to examine as Witnesses at the Bar, or before a Select Committee of the Lords Spiritual and Temporal, several Persons in respect of such alleged Bribery and Corruption, and in respect of Bribery and Corruption practised at former Elections in the said Borough, and the Evidence of such Persons may tend to expose them to penal Consequences: And whereas it is expedient to indemnify such Persons, upon their making such true and faithful Disclosure and Discovery as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the more effectually prosecuting the said Inquiry every Person who may have been implicated or engaged in such alleged Bribery and Corruption at or connected with any Election of Members to serve in Parliament for the said Borough of *Sudbury*, and who shall be examined as Witnesses or a Witness at the Bar, or before any Select Committee of the Lords Spiritual and Temporal, touching such alleged Bribery and Corruption, and who shall upon such Examination make a true and faithful Discovery and Disclosure, to the best of his or her Knowledge, touching all Acts, Matters, and Things to which he or she shall be so examined, shall be and he and she is hereby freed, indemnified, and discharged of, from, and against all penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions, which he or she may have been or may become liable or subject to, or which he or she may have incurred or may incur, at the Suit of Her Majesty, Her Heirs or Successors, or any other Person, for or by reason or means of or in relation to any Act, Matter, or Thing done or committed by such Person or Persons in respect of such alleged Bribery and Corruption.

All Persons implicated in Bribery at Sudbury, who may be examined before the House of Lords, and shall make a faithful Disclosure, indemnified.

II. Provided also, and be it further enacted, That where any Witness shall be examined before the House of Lords, or any Committee of the said House, such Witness shall not be indemnified under this Act unless he or she shall receive from the Lord Chancellor a Certificate in Writing stating that such Witness has, upon his or her Examination, made a true and faithful Disclosure touching all Acts and Matters to which he or she has been so examined, which said Certificates the Lord Chancellor is hereby authorized to give; and if any Action, Information, or Indictment shall at any Time be pending in any Court, for Bribery at any former Election for the Borough of *Sudbury*, against any Person or Persons who shall have been so examined as a Witness or Witnesses in manner above mentioned, such Court shall, on the Production and Proof of such Certificate or Certificates, stay the Proceedings in any such Action, Indictment, or Information, and may, in its Discretion, award to any such Person or Persons such Costs as he, she, or they may have been put to by such Action, Information, or Indictment.

Witnesses examined before the House of Lords, or any Committee thereof, not to be indemnified, unless they shall have a Certificate from the Lord Chancellor.

CAP. XII.

An Act for the more convenient holding of Coroners Inquests. [11th *April* 1843.]

'WHEREAS it often happens that it is unknown where Persons lying dead have come by their Deaths, and also that such Persons may die in other Places than those in which the Cause of Death happened:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Coroner only within whose Jurisdiction the Body of any Person upon whose Death an Inquest ought to be holden shall be lying dead shall hold the Inquest, notwithstanding that the Cause of Death did not arise within the Jurisdiction of such Coroner; and in the Case of any Body found dead in the Sea, or any Creek, River, or navigable Canal within the flowing of the Sea, where there shall be no Deputy Coroner for the Jurisdiction of the Admiralty of *England*, the Inquest shall be holden only by the Coroner having Jurisdiction in the Place where the Body shall be first brought to Land.

Coroner only within whose Jurisdiction the Body is lying dead shall hold the Inquest.

II. And be it enacted, That for the Purpose of holding Coroners Inquests every detached Part of a County, Riding, or Division shall be deemed to be within the County, Riding, or Division by which it is wholly surrounded, or, where it is partly surrounded by Two or more Counties, Ridings, or Divisions, within that one with which it has the *longest* common Boundary.

Provision for detached Parts of Counties.

III. And be it declared and enacted, That if a Verdict of Murder or Manslaughter, or as Accessary before the Fact to any Murder, shall be found by the Jury at any such Inquest, against any Person or Persons, the Coroner holding the said Inquest, and the Justices of Oyer and Terminer and Gaol Delivery for the County, City, District, or Place in which such Inquest shall be holden, and all other Persons, shall have the same Powers respectively for the Commitment, Trial, and Execution of the Sentence of the Person or Persons so charged as they now by Law possess with regard to the Commitment, Trial, and Execution of the Sentence upon any Person or Persons committed and tried within the Jurisdiction where the Death happened.

Parties may be tried on Verdicts of Murder or Manslaughter.

IV. And be it declared and enacted, That if a Verdict of Accidental Death shall be found by the Jury at any such Inquest, the Coroner and Jury, and the Sheriff and Court of Exchequer, and all other Persons whosoever,

Deodands may be levied on Verdicts.

whosoever, shall have the same Powers respectively with regard to the finding, returning, and levying of Deodands as they now possess in Cases where the Death and the Cause of Death happened within the same Jurisdiction.

Act may be amended, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XIII.

An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of *Africa* and in the *Falkland Islands*. [11th *April* 1843.]

'WHEREAS divers of Her Majesty's Subjects have resorted to and taken up their Abode and may hereafter resort to and take up their Abode at divers Places on or adjacent to the Coast of the Continent of *Africa* and on the *Falkland Islands*: And whereas it is necessary that Her Majesty should be enabled to make further and better Provision for the Civil Government of the said Settlements:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by any Order or Orders to be by Her made, with the Advice of Her Privy Council, to establish all such Laws, Institutions, and Ordinances, and to constitute such Courts and Officers, and to make such Provisions and Regulations for the Proceedings in such Courts, and for the Administration of Justice, as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others within the said present or future Settlements respectively, or any of them; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

The Queen in Council may make Laws, constitute Courts, &c.

II. And be it enacted, That it shall be lawful for Her Majesty, by any Commission or Commissions under the Great Seal of the United Kingdom, or by any Instructions under Her Majesty's Signet and Sign Manual, accompanying and referred to in any such Commission or Commissions, to delegate to any Three or more Persons within any of the Settlements aforesaid respectively the Powers and Authorities so vested in Her Majesty in Council as aforesaid, either in whole or in part, and upon, under, and subject to all such Conditions, Provisoes, and Limitations as by any such Commission or Commissions or Instructions as aforesaid Her Majesty shall see fit to prescribe: Provided always, that notwithstanding any such Delegation of Authority as aforesaid it shall still be competent to Her Majesty in Council, in manner aforesaid, to exercise all the Powers and Authorities so vested as aforesaid in Her Majesty in Council: Provided also, that all such Orders in Council, Commissions, and Instructions as aforesaid, and all Laws and Ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

The Queen may delegate Her Powers and Authorities to resident Officers.

Orders in Council, &c. to be laid before Parliament.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XIV.

An Act for carrying into effect a Treaty between Her Majesty and the Republic of *Bolivia* for the Abolition of the Slave Trade. [11th *April* 1843.]

'WHEREAS on the Twenty-fifth Day of *September* in the Year of our Lord One thousand eight hundred and forty a Treaty was concluded and signed at *Sucre*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Bolivia*, for the Abolition of the Slave Trade, whereby it was agreed as follows:—

'ARTICLE I.—The Slave Trade having been constitutionally abolished throughout the Territories of the Republic of *Bolivia*, is hereby declared to be henceforward totally prohibited to all the Citizens of the said Republic in all Parts of the World.

'ARTICLE II.—The Republic of *Bolivia* hereby specially engages that, Two Months after the Exchange of the Ratifications of the present Treaty, if the ordinary Congress shall be assembled at that Time, or Two Months after the subsequent Meeting of Congress, it will promulgate throughout its Territories a Penal Law inflicting the Punishment attached to Piracy on all those Citizens of *Bolivia* who shall, under any Pretext whatsoever, take any Part whatever in the Traffic in Slaves; and from Time to Time afterwards, as it may become needful, it will take the most effectual Measures for preventing the Citizens of the Republic from being concerned, and the Flag of the Republic from being used, in carrying on in any way the Trade in Slaves.

'ARTICLE III.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Bolivia* hereby mutually engage, that, by an additional Convention to the present Treaty, hereafter to be concluded between the said High Contracting Parties to the present Treaty, they will concert and settle the Details of the Measures by which the Law of Piracy, which will become applicable to that Traffic by the Legislation of each of the Two Countries, shall be immediately and reciprocally carried into execution with respect to the Vessels and Subjects or Citizens of each.

'ARTICLE IV.—In order more completely to carry into effect the Spirit of the present Treaty the Two High Contracting Parties mutually consent that those Ships of their Navies respectively which shall be provided with special Instructions for that Purpose, as herein-after mentioned, may visit such Merchant Vessel of the Two Nations as may be suspected, upon reasonable Grounds, of being engaged in the Traffic in Slaves, or of having been fitted out for the Purposes thereof, or of having,

'during

'during the Voyage in which they are met by the said Cruisers, been engaged in the Traffic in Slaves, 'contrary to the Provisions of this Treaty; and the Two High Contracting Parties likewise consent 'that such Cruisers may detain and send or carry away such Vessels, in order that they may be 'brought to Trial in the Manner herein-after agreed upon.

'ARTICLE V.—In order to regulate the Mode of carrying the Provisions of the preceding Article 'into execution it is agreed,—

'First,—That all Ships of the Navies of the Two Nations which shall be hereafter employed to 'prevent the Traffic in Slaves shall be furnished by their respective Governments with a Copy, in 'the *English* and *Spanish* Languages, of the present Treaty; of the Instructions for Cruisers 'annexed thereto, *sub literâ* (A.), and of the Regulations for the Mixed Courts of Justice annexed 'thereto, *sub literâ* (B.), which Annexes shall be considered as an integral Part of the Treaty:

'Secondly,—That each of the High Contracting Parties shall from Time to Time communicate 'to the other the Names of the several Ships furnished with such Instructions, the Force of each 'Ship, and the Names of their several Commanders:

'Thirdly,—That if at any Time there shall be just Cause to suspect that any Merchant Vessel, 'sailing under the Flag of either Nation, and proceeding under the Convoy of any Ship or Ships 'of War of either of the Contracting Parties, is engaged or is intended to be engaged in the 'Traffic in Slaves, or is fitted out for the Purposes thereof, or has, during the Voyage in which she 'may be met with, been engaged in the Traffic in Slaves, it shall be lawful for the Commander of 'any Ship of the Navy of either of the Two High Contracting Parties, furnished with such 'Instructions as aforesaid, to visit such Merchant Vessel; and such Commander shall proceed to 'visit the same, in communication with the Commanding Officer of the Convoy, who it is hereby 'agreed shall give every Facility to the Visit, and to the eventual Detention, if necessary, of such 'Merchant Vessel, and in all things shall assist to the utmost of his Power in the due Execution of 'the present Treaty, according to the true Intent and Meaning thereof:

'Fourthly,—It is further mutually agreed, That the Commanders of the Ships of the Two Navies 'respectively who shall be employed on this Service shall adhere strictly to the exact Tenor of the 'aforesaid Instructions.

'ARTICLE VI.—As the Two preceding Articles are entirely reciprocal, the Two High Contracting 'Parties engage mutually to make good any Losses which their respective Subjects or Citizens may 'incur by the arbitrary and illegal Detention of their Vessels, it being understood that this Indemnity 'shall invariably be borne by the Government whose Cruiser shall have been guilty of such arbitrary 'and illegal Detention, and that the Visit and Detention of such Vessels, specified in Article IV. of 'this Treaty, shall only be effected by those *British* and *Bolivian* Ships which may form Part of the 'Navies (Royal and National) respectively of the Two High Contracting Parties to the Treaty, and 'by such Ships only of those Navies as shall be provided with the special Instructions annexed to the 'present Treaty in pursuance of the Provisions thereof.

'The Compensation for Damages, of which this Article treats, shall be made within the Term of 'One Year, reckoned from the Day on which the Mixed Courts of Justice pronounce Sentence on 'the Vessel, for the Detention of which such Compensation is claimed.

'ARTICLE VII.—In order to bring to Adjudication with as little Delay and Inconvenience as 'possible the Vessels which may be detained according to the Tenor of Article IV. of this Treaty, 'there shall be established, within the Space of One Year at farthest from the Exchange of the Ratifications of the present Treaty, Two Mixed Courts of Justice, formed of an equal Number of 'Individuals of the Two Nations named for this Purpose by the Governments of the Two High 'Contracting Parties respectively.

'These Courts shall reside, one in a Possession belonging to Her *Britannic* Majesty, the other 'within the Territories of the Republic of *Bolivia;* and the Two Governments, at the Period of the 'Exchange of the Ratifications of the present Treaty, shall declare, each for its own Territories, in 'what Places the Courts shall respectively reside; each of the Two High Contracting Parties 'reserving to itself the Right of changing at its Pleasure the Place of Residence of the Court held 'within its own Territories: Provided, however, that one of the Two Courts shall always be held 'upon the Coast of *Africa*, and the other in one of the Possessions of the Republic of *Bolivia.*

'These Courts shall judge the Causes submitted to them according to the Provisions of the present 'Treaty, without Appeal, and according to the Regulations and Instructions which are annexed to 'the present Treaty, and which are considered as forming an integral Part thereof.

'ARTICLE VIII.—If the Commanding Officer of any of the Ships of the Navies of *Great Britain* 'and of the Republic of *Bolivia* respectively, duly commissioned according to the Provisions of 'Article IV. of this Treaty, shall deviate in any respect from the Stipulations in the said Treaty, or 'from the Instructions annexed to it, the Government which shall conceive itself to be wronged 'thereby shall be entitled to demand Reparation; and in such Case the Government to which such 'Commanding Officer may belong binds itself to cause Inquiry to be made into the Subject of the 'Complaint, and to inflict upon the said Officer a Punishment proportioned to any wilful Transgression which he may have committed.

'ARTICLE IX.—It is hereby further mutually agreed, that every Merchant Vessel, *British* or '*Bolivian*, which shall be visited by virtue of the present Treaty, may lawfully be detained and be 'sent or brought before the Mixed Courts of Justice established in pursuance of the Provisions

'thereof,

'thereof, if in her Equipment there shall be found any of the Things herein-after mentioned; 'namely,

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulk Heads in the Hold, or on Deck, in a greater Number than are 'necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Plank fitted for being laid down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consump- 'tion of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House at the Place from which he 'cleared outwards, stating that a sufficient Security had been given by the Owners of such Mer- 'chant Vessel that such extra Quantity of Casks or of other Vessels should only be used for the 'Reception of Palm Oil, or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler of an unusual Size, and larger, or fitted for being made larger, than 'requisite for the Use of the Crew of the Vessel as a Merchant Vessel, or more than One Boiler of 'the ordinary Size.

'Ninthly,—An extraordinary Quantity either of Rice, of the Flour of Brazil, Manioc or Cassada, 'commonly called Farinha, of Maize, of Indian Corn, or of any other Article of Food whatever, 'beyond what might probably be requisite for the Use of the Crew, such Rice, Flour, Maize, 'Indian Corn, or other Article of Food not being entered on the Manifest as Part of the Cargo 'for Trade.

'Tenthly,—A Quantity of Mats or Matting greater than is necessary for the Use of the Crew 'of the Vessel as a Merchant Vessel.

'Any One or more of these several Things, if proved, shall be considered as *primâ facie* Evidence 'of the actual Employment of the Vessel in the Slave Trade; and the Vessel shall thereupon be 'condemned, and be declared lawful Prize, unless clear and incontestable Evidence on the Part 'of the Master or Owners shall establish, to the Satisfaction of the Court, that such Vessel was, 'at the Time of her Detention or Capture, employed in some legal Pursuit, and that such of the 'several Things above enumerated as were found on board her at the Time of her Detention, 'or had been put on board on the Voyage on which the Vessel when captured was proceeding, 'were needed for legal Purposes on that particular Voyage.

'ARTICLE X.—If any of the Things specified in the preceding Article shall be found in any 'Merchant Vessel, no Compensation for Losses, Damages, or Expences consequent upon the 'Detention of such Vessel shall in any Case be granted either to her Master or to her Owner, 'or to any other Person interested in her Equipment or Lading, even though the Mixed 'Court of Justice should not pronounce any Sentence of Condemnation in consequence of her 'Detention.

'ARTICLE XI.—It is hereby agreed between the Two High Contracting Parties, that in all 'Cases in which a Vessel shall be detained under this Treaty by their respective Cruisers, as 'having been engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and 'shall consequently be adjudged and condemned by the Mixed Courts of Justice to be established 'as aforesaid, the said Vessel shall, immediately after its Condemnation, be broken up entirely, and 'shall be sold in separate Parts after having been so broken up.

'ARTICLE XII.—The Negroes who are found on board of a Vessel detained by a Cruiser, and 'condemned by the Mixed Courts of Justice in conformity with the Stipulations of this Treaty, 'shall be placed at the Disposition of the Government whose Cruiser has made the Capture, on the 'distinct Understanding that they shall be immediately set at liberty and kept free, the Government 'to which they have been delivered guaranteeing the same, and likewise engaging to afford from 'Time to Time, and whenever demanded by the other High Contracting Party, the fullest Information 'as to the State and Condition of such Negroes, with a view of insuring the due Execution of the 'Treaty in this respect.

'For this Purpose the Regulations annexed to this Treaty, *sub literâ* (C.), as to the Treatment of 'Negroes liberated by Sentence of the Mixed Courts of Justice, have been drawn up, and are 'declared to form an integral Part of this Treaty; the Two High Contracting Parties reserve to 'themselves the Right to alter or suspend, by common Consent and mutual Agreement, but not 'otherwise, the Terms and Tenor of such Regulations.

'ARTICLE XIII.—The Acts or Instruments annexed to this Treaty, and which it is mutually agreed 'shall form an integral Part thereof, are as follows:

'(A.) Instructions for the Ships of the Navies of both Nations destined to prevent the Traffic in 'Slaves.

'(B.) Regulations for the Mixed Courts of Justice, which are to hold their Sittings on the Coast 'of *Africa*, and in one of the Possessions of the Republic of *Bolivia*.

'(C.) Regulations as to the Treatment of liberated Negroes.

'ARTICLE

'ARTICLE XIV.—The present Treaty, consisting of Fourteen Articles, shall be ratified, and the Ratifications thereof exchanged at *London*, as soon as possible within the Space of Twenty 'Months from this Date.

'In witness whereof, the respective Plenipotentiaries have signed, in triplicate Originals, '*English* and *Spanish*, the present Treaty, and have thereunto affixed the Seal of their Arms.

'Done at *Sucre*, the Twenty-fifth Day of *September* in the Year of our Lord One thousand eight 'hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose M^a Linares.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of BOLIVIA, for the ABOLITION of 'the SLAVE TRADE of the REPUBLIC of BOLIVIA.

'*Instructions for the Ships of the British and Bolivian Navies employed to prevent the Traffic in 'Slaves.*

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or 'of the Republic of *Bolivia*, which shall be furnished with these Instructions, shall have a Right to 'visit, search, and detain any *British* or *Bolivian* Merchant Vessel which shall be actually engaged 'or which shall be suspected to be engaged in the Slave Trade, or to be fitted out for the Purposes 'thereof, or to have been engaged in the Traffic in Slaves during the Voyage in which she may be 'met with by such Ship of the *British* or *Bolivian* Navy; and such Commander shall thereupon 'bring or send such Merchant Vessel as soon as possible for Judgment before that one of the Two 'Mixed Courts of Justice, established in virtue of Article VII. of the said Treaty, which shall be the 'nearest to the Place of Detention, or which such Commander shall upon his own Responsibility 'think can be soonest reached from such Place.

'ARTICLE II.—Whenever a Ship of either of the said Navies, duly authorized as aforesaid, shall 'meet a Merchantman liable to be visited under the Provisions of the said Treaty, the Search shall 'be conducted in the mildest Manner, and with every Attention which ought to be observed between 'allied and friendly Nations; and the Search shall in all Cases be made by an Officer holding a 'Rank not lower than that of Lieutenant in the Navy of *Great Britain* or of the Republic of *Bolivia* 'respectively (unless the Command shall, by reason of Death or otherwise, be held by an Officer of 'inferior Rank), or by the Officer who at the Time shall be second in Command of the Ship by which 'such Search is made,

'ARTICLE III.—The Commander of any Ship of the Two Navies, duly authorized as aforesaid, 'who may detain any Merchant Vessel in pursuance of the Tenor of the present Instructions, shall 'leave on board the Vessel so detained the Master, the Mate, or Boatswain, and Two or Three at least 'of the Crew thereof, the whole of the Slaves, if any, and all the Cargo.

'The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, 'which shall exhibit the State in which he found the detained Vessel, such Declaration to be 'signed by himself, and to be given in or sent together with the captured Vessel to the Mixed Court 'of Justice before which such Vessel shall be carried or sent for Adjudication.

'He shall deliver to the Master of the detained Vessel a certified List of the Papers seized 'on board the same, as well as of the Number of Slaves found on board at the Moment of 'Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as well as in the 'certified List of the Papers seized, he shall insert his own Name, the Name of the capturing Ship, 'the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number 'of Slaves found on board the Vessel at the Time of the Detention.

'The Officer in charge of the Vessel detained shall, at the Time of his bringing the Vessel's Papers 'into the Mixed Court of Justice, deliver in to the Court a Paper, signed by himself, and verified on 'Oath, stating any Changes which may have taken place in respect to the Vessel, her Crew, the 'Slaves, (if any), and her Cargo, between the Period of her Detention and the Time of delivering 'in such Paper.

'ARTICLE IV.—The Slaves shall not be disembarked till after the Vessel which contains them 'shall have arrived at the Place of Adjudication, in order that in the event of the Vessel not being 'adjudged legal Prize the Loss of the Proprietors may be more easily repaired; and even after the 'Slaves have arrived at such Place they are not to be landed without the Permission of the Mixed 'Court of Justice.

'But if urgent Reasons, deduced from the Length of the Voyage, from the State of Health of the 'Slaves, or from other Causes, should require that either the Whole or a Portion of the Negroes 'should be disembarked before the Vessel can arrive at the Place at which one of the said Courts is 'established, the Commander of the capturing Ship may take upon himself the Responsibility of so 'disembarking the Negroes; provided that such Necessity and the Causes thereof be stated in a 'Certificate in proper Form, and that this Certificate be entered at the Time on the Log Book of the 'detained Vessel.

'The undersigned Plenipotentiaries have agreed, in conformity with the Article XIII. of the Treaty 'signed by them on this Day, the Twenty-fifth of *September* of One thousand eight hundred and 'forty,

' forty, that the preceding Instructions, consisting of Four Articles, shall be annexed to the said ' Treaty, and be considered as an integral Part thereof.

' The Twenty-fifth Day of *September* of One thousand eight hundred and forty.

' (L.S.) *Belford Hinton Wilson.*
' (L.S.) *Jose Mª Linares.*

' ANNEX (B.)

' To the TREATY between GREAT BRITAIN and the REPUBLIC of BOLIVIA, for the ABOLITION of the ' SLAVE TRADE of the REPUBLIC of BOLIVIA.

' *Regulations for the Mixed Courts of Justice which are to reside on the Coast of Africa, and in the ' Possessions of the Republic of Bolivia.*

' ARTICLE I.—The Mixed Courts of Justice to be established under the Provisions of the Treaty, ' of which these Regulations are declared to be an integral Part, shall be composed in the following ' Manner:—

' Each of the Two High Contracting Parties shall name a Judge and an Arbitrator, who shall be ' authorized to hear and to decide, without Appeal, all Cases of the Capture or Detention of Vessels ' which, in pursuance of the Stipulations of the aforesaid Treaty, shall be brought before them; the ' Judges and the Arbitrators shall, before entering upon the Duties of their Office, respectively make ' Oath before the principal Magistrate of the Places in which such Courts respectively shall reside, ' that they will judge fairly and faithfully, that they will have no Preference either for the Claimants ' or the Captors, and that they will act in all their Decisions in pursuance of the Stipulations of the ' aforesaid Treaty.

' There shall be attached to each of such Courts a Secretary or Registrar, who shall be appointed ' by the Government of the Country within the Territories of which such Court shall reside.

' Such Secretary or Registrar shall register all the Acts of such Court, and shall, before he enters ' upon his Office, make Oath before the Court to which he is appointed, that he will conduct himself ' with due Respect for its Authority, and will act with Fidelity and Impartiality in all Matters relating ' to his said Office.

' The Salary of the Secretary or Registrar of the Court to be established on the Coast of *Africa* ' shall be paid by Her *Britannic* Majesty, and that of the Secretary or Registrar of the Court to be ' established in the Possessions of the Republic of *Bolivia* shall be paid by the Government of the ' Republic of *Bolivia*.

' Each of the Governments shall defray Half of the aggregate Amount of the incidental Expences of ' such Courts.

' ARTICLE II.—The Expences incurred by the Officer charged with the Reception, Maintenance, ' and Care of the detained Vessel, Slaves, and Cargo, and with the Execution of the Sentence, and all ' Disbursements occasioned by bringing a Vessel to Adjudication, shall, in case of Condemnation, be ' defrayed from the Funds arising from the Sale of the Materials of the broken-up Vessel, of the ' Ship's Stores, and of such Parts of the Cargo as shall consist of Merchandize; and in case the ' Proceeds arising from the Sale should not prove sufficient to defray such Expences, the Deficiency ' shall be made good by the Government of the Country within whose Territories the Adjudication ' shall have taken place.

' If the detained Vessel shall be released, the Expences occasioned by bringing her to Adjudication ' shall be defrayed by the Captor, excepting in Cases specified and otherwise provided for under ' Article X. of the Treaty to which these Regulations form an Annex, and under Article VII. of these ' Regulations.

' ARTICLE III.—The Mixed Courts of Justice are to decide upon the Legality of the Detention of ' such Vessels as the Cruisers of either Nation shall, in pursuance of the said Treaty, detain.

' These Courts shall judge definitively, and without Appeal, all Questions which shall arise out of ' the Capture and Detention of such Vessels.

' The Proceedings of these Courts shall take place with as little Delay as possible, and for this ' Purpose the Courts are required to decide each Case, as far as may be practicable, within the Space ' of Twenty Days, to be dated from the Day on which the detained Vessel shall have been brought ' into the Port where the deciding Court shall reside.

' The final Sentence shall not in any Case be delayed beyond the Period of Two Months, either on ' account of the Absence of Witnesses or for any other Cause, except upon the Application of any of ' the Parties interested, in which Case, upon such Party or Parties giving satisfactory Security that ' they will take upon themselves the Expence and Risks of the Delay, the Courts may, at their ' Discretion, grant an additional Delay, not exceeding Four Months; either Party shall be allowed to ' employ such Counsel as he may think fit, to assist him in the Conduct of his Cause.

' All the essential Parts of the Proceedings of the said Courts shall be written down in the Language ' of the Country in which the Courts shall respectively reside.

' ARTICLE IV.—The Form of the Process shall be as follows:—The Judges appointed by the Two ' Nations respectively shall, in the first place, proceed to examine the Papers of the detained Vessel, ' and to take the Depositions of the Master or Commander, and of Two or Three at least of the prin- ' cipal Individuals on board such Vessel, as well as the Declaration on Oath of the Captor, should ' such Declaration appear necessary to enable them to judge and to pronounce whether the said Vessel

' has

'has been justly detained or not, according to the Stipulations of the aforesaid Treaty, so that 'according to the Judgment pronounced the Vessel may be condemned or released.

'In the event of the Two Judges not agreeing as to the Sentence which they ought to pronounce, 'in any Case brought before them, either with respect to the Legality of the Detention, the Liability 'of the Vessel to Condemnation, or the Compensation to be allowed, or as to any other Question 'which may arise out of the said Capture, or if any Difference of Opinion should arise between them 'as to the Mode of Proceeding in the said Court, they shall draw by Lot the Name of One of the Two 'Arbitrators appointed as aforesaid, which Arbitrator, after having considered the Proceedings which 'have taken place, shall consult with the Two above-mentioned Judges, and the final Sentence or 'Decision shall be pronounced conformably to the Opinion of the Majority of the Three.

'ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Court, the Vessel 'and her Cargo, in the State in which they shall then be found, shall forthwith be given up to the 'Master, or to the Person who represents him; and such Master or other Person may, before the 'same Court claim to have a Valuation made, in order to ascertain the Amount of the Damages to 'which he shall be entitled. The Captor himself, and in his Default his Government shall remain 'responsible for the Damages which may definitively be pronounced to be due to the Master of such 'Vessel, or to the Owners of the Vessel or of her Cargo.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the 'Date of the Sentence, the Costs and Damages which may be awarded by the above-named Court; 'it being mutually understood and agreed, that such Costs and Damages shall be made good by the 'Government of the Country of which the Captor shall be a Subject or Citizen.

'ARTICLE VI.—If the detained Vessel shall be condemned, she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, with the Exception of the Slaves who 'shall have been brought on board for the Purposes of Commerce; and the said Vessel, in confor- 'mity with the Regulations in Article XI. of the Treaty of this Date, shall, as well as her Cargo, be 'sold by public Sale, for the Profit of the Two Governments, subject to the Payment of the Expences 'herein-before mentioned.

'The Slaves shall receive from the Court a Certificate of Emancipation, and shall be delivered over 'to the Government to whom belongs the Cruiser which made the Capture, to be dealt with according 'to the Regulations and Conditions contained in the Annex to this Treaty, *sub literâ* (C.)

'The Charges incurred for the Support and for the Return Voyage of the Commanders and Crews 'of condemned Vessels shall be defrayed by the Government of which such Commanders and Crews 'are the Subjects or Citizens.

'ARTICLE VII.—The Mixed Courts of Justice shall also take cognizance of, and shall decide 'definitively, and without Appeal, all Claims for Compensation on account of Losses occasioned to 'Vessels and Cargoes detained under the Provisions of this Treaty, but which shall not have been 'condemned as legal Prize by the said Courts; and in all Cases wherein Restitution of such Vessels 'and Cargoes shall be decreed (save as mentioned in Article X. of the Treaty to which these Regu- 'lations form an Annex, and in a subsequent Part of these Regulations), the Court shall award to 'the Claimant or Claimants, or to his or their lawful Attorney or Attornies, for his or their Use, a just 'and complete Indemnification for all Costs of Suit, and for all Losses and Damages which the 'Owner or Owners may have actually sustained by such Capture and Detention; (that is to say,)

'First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(a) For the Ship, her Tackle, Equipment, and Stores.

'(b) For all Freights due and payable.

'(c) For the Value of the Cargo of Merchandize, if any, deducting all Charges and Expences 'payable upon the Sale of such Cargo, including Commission of Sale.

'(d) For all other regular Charges in such Case of total Loss.

'Secondly,—In all other Cases, not of total Loss, save as herein-after mentioned, the Claimant 'or Claimants shall be indemnified,—

'(a) For all special Damages and Expences occasioned to the Ship by the Detention, and 'for Loss of Freight when due or payable.

'(b) For Demurrage, according to the Schedule annexed to the present Article.

'(c) For any Deterioration of the Cargo.

'(d) For all Premium of Insurance on additional Risks.

'Further,—The Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum* '*per Annum* on the Sum awarded, until such Sum is paid by the Government to which the capturing 'Ship belongs. The whole Amount of such Indemnifications shall be calculated in the Money of the 'Country to which the detained Vessel belongs, and shall be paid at the Rate of Exchange current at 'the Time of the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the Satis- 'faction of the Judges of the Two Nations, and without Recourse to the Decision of an Arbitrator, 'that the Captor has been led into Error by the Fault of the Master or Commander of the detained 'Vessel, the detained Vessel in that Case shall not have the Right of receiving for the Time of her 'Detention the Demurrage stipulated by the present Article, nor any other Compensation for Losses, 'Damages, or Expences consequent upon such Detention.

'SCHEDULE of Demurrage or daily Allowance for a Vessel of

'100 Tons to	120	inclusive	-	-	£ 5	*per Diem.*
'121 „	150	„	-	-	6	„
'151 „	170	„	-	-	8	„
'171 „	200	„	-	-	10	„
'201 „	220	„	-	-	11	„
'221 „	250	„	-	-	12	„
'251 „	270	„	-	-	14	„
'271 „	300	„	-	-	15	„

'And so in proportion.

'ARTICLE VIII.—Neither the Judges, nor the Arbitrators, nor the Secretaries of the Mixed 'Courts of Justice, shall demand or receive from any of the Parties concerned in the Cases which 'shall be brought before such Courts any Emolument or Gift, under any Pretext whatsoever, for the 'Performance of the Duties which such Judges, Arbitrators, and Secretaries have to perform.

'ARTICLE IX.—The Two High Contracting Parties have agreed, that in the event of the Death, 'Sickness, Absence on Leave, or other legal Impediment, of One or more of the Judges or Arbi- 'trators composing the above-mentioned Courts respectively, the Post of such Judge or of such 'Arbitrator shall be supplied *ad interim* in the following Manner:—

'First,—On the Part of Her *Britannic* Majesty, and in that Court which shall sit within the 'Possessions of Her said Majesty, if the Vacancy be that of the *British* Judge, his Place shall be 'filled by the *British* Arbitrator; and either in that Case, or if the Vacancy be originally that of the '*British* Arbitrator, the Place of such Arbitrator shall be filled successively by the Governor or 'Lieutenant Governor resident in such Possession, by the principal Magistrate of the same, and by 'the Secretary of the Government; and the said Court so constituted as above shall sit, and in all 'Cases brought before them for Adjudication shall proceed to adjudge the same, and to pass Sentence 'accordingly.

'Secondly,—On the Part of *Great Britain*, and in that Court which shall sit within the Pos- 'sessions of the Republic of *Bolivia*, if the Vacancy be that of the *British* Judge, his Place shall 'be filled by the *British* Arbitrator; and either in that Case, or if the Vacancy be originally that 'of the *British* Arbitrator, the Place of *British* Arbitrator shall be filled successively by the *British* 'Consul and *British* Vice Consul, if there be a *British* Consul or *British* Vice Consul appointed to 'and resident in such Possession; and if the Vacancy be both of the *British* Judge and of the *British* 'Arbitrator, then the Vacancy of the *British* Judge shall be filled by the *British* Consul, and that 'of the *British* Arbitrator by the *British* Vice Consul, if there be a *British* Consul and a *British* 'Vice Consul appointed to and resident in such Possession; and if there shall be no *British* Consul 'or *British* Vice Consul to fill the Place of *British* Arbitrator, then the *Bolivian* Arbitrator shall 'be called in in those Cases in which a *British* Arbitrator, if there were any, would be called in; 'and in case the Vacancy be both of the *British* Judge and *British* Arbitrator, and there be neither '*British* Consul nor *British* Vice Consul to fill *ad interim* the Vacancies, then the *Bolivian* Judge 'and *Bolivian* Arbitrator shall sit, and in all Cases brought before them for Adjudication shall 'proceed to adjudge the same, and pass Sentence accordingly.

'Thirdly,—On the Part of the Republic of *Bolivia*, and in that Court which shall sit within the 'Territories of the said Republic, if the Vacancy be that of the *Bolivian* Judge, his Place shall be 'filled by the *Bolivian* Arbitrator; and either in that Case, or if the Vacancy be originally that of 'the *Bolivian* Arbitrator, the Place of such Arbitrator shall be filled successively by the highest 'Civil Authority resident in such Possession, by the principal Magistrate of the same, and by the 'Secretary of the highest Civil Authority; and the said Court so constituted as above shall sit, 'and in all Cases brought before them for Adjudication shall proceed to adjudge the same, and pass 'Sentence accordingly.

'Fourthly,—On the Part of the Republic of *Bolivia*, and in that Court which shall sit within 'the Possessions of Her *Britannic* Majesty, if the Vacancy be that of the *Bolivian* Judge, his Place 'shall be filled by the *Bolivian* Arbitrator; and either in that Case, or if the Vacancy be originally 'that of the *Bolivian* Arbitrator, the Place of Arbitrator shall be filled successively by the *Bolivian* 'Consul and *Bolivian* Vice Consul, if there be a *Bolivian* Consul or Vice Consul appointed to and 'resident in such Possession; and if the Vacancy be both of the *Bolivian* Judge and of the *Bolivian* 'Arbitrator, then the Vacancy of the *Bolivian* Judge shall be filled by the *Bolivian* Consul, and 'that of the *Bolivian* Arbitrator by the *Bolivian* Vice Consul, if there be a *Bolivian* Consul and a '*Bolivian* Vice Consul appointed to and resident in such Possession; and in the Case in which 'there be no *Bolivian* Consul or Vice Consul to fill the Place of *Bolivian* Arbitrator, then the '*British* Arbitrator shall be called in in those Cases in which a *Bolivian* Arbitrator would be called 'in; and in case the Vacancy be both of the *Bolivian* Judge and *Bolivian* Arbitrator, and there 'be neither *Bolivian* Consul nor *Bolivian* Vice Consul to fill *ad interim* the Vacancies, then the '*British* Judge and *British* Arbitrator shall sit, and in all Cases brought before them for Adjudi- 'cation shall proceed to adjudge the same, and to pass Sentence accordingly.

'The highest Civil Authority of the Settlement wherein either of the Mixed Courts of Justice 'shall sit shall, in the event of a Vacancy arising either of the Judge or the Arbitrator of the 'other High Contracting Party, forthwith give Notice of the same to the highest Civil Authority

'of

'of the nearest Settlement of such other High Contracting Party, in order that such Vacancy may 'be supplied at the earliest possible Period; and each of the High Contracting Parties agrees to 'supply definitively, as soon as possible, the Vacancies which may arise in the above-mentioned 'Courts from Death, or from any other Cause whatever.

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIII. of the Treaty 'signed by them on this Day, the Twenty-fifth of *September* of One thousand eight hundred and 'forty, that the preceding Regulations, consisting of Nine Articles, shall be annexed to the said 'Treaty, and considered as an integral Part thereof.

'The Twenty-fifth Day of *September* of One thousand eight hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose Mª Linares.*

'ANNEX (C.)

'*Regulations for the good Treatment of liberated Negroes.*

'ARTICLE I.—The Object and Spirit of these Regulations is, to secure to Negroes liberated by 'virtue of the Stipulations of the Treaty to which these Regulations form an Annex, marked (C.), 'permanent good Treatment, and full and complete Freedom, in conformity with the humane Intentions 'of the High Contracting Parties.

'ARTICLE II.—Immediately after Sentence of Condemnation shall have been passed by a Mixed 'Court of Justice established under the Treaty to which these Regulations form an Annex, on a 'Vessel charged with being concerned in illegal Slave Trade, all Negroes who were on board such 'Vessel, and who were brought on board for the Purpose of Traffic, shall be delivered over to the 'Government to whom belongs the Cruiser which made the Capture.

'ARTICLE III.—If the Cruiser which made the Capture is *British*, the *British* Government engages 'that the Negroes shall be treated in exact Conformity with the Laws in force in the *British* Colonies 'for the Regulation of free or of emancipated Negroes.

'ARTICLE IV.—If the Cruiser which made the Capture is *Bolivian*, then the Negroes shall be 'delivered over to the *Bolivian* Authorities of that Place in the Dominions of the Republic of *Bolivia* 'in which the Mixed Court of Justice is established; and the *Bolivian* Government solemnly engages 'that such Negroes shall there be treated strictly according to the Regulations actually in force in 'the Republic of *Bolivia* with respect to free Negroes, or according to such Regulations as may in 'future be established in the Republic of *Bolivia* in this respect; and which Regulations shall always 'have in view the humane Object of securing honestly and faithfully to emancipated Negroes the 'unmolested Enjoyment of their Liberty, good Treatment, a Knowledge of the Tenets of the Christian 'Religion, Advancement in Morality and Civilization, and sufficient Instruction in the mechanical 'Arts in order that the said emancipated Negroes may be enabled to earn their own Subsistence, 'whether as Artizans, Mechanics, or Servants.

'ARTICLE V.—For the Purpose which is explained in Article VI. there shall be kept in the Office 'of the principal Civil Authority of the Part of the Possessions of the Republic of *Bolivia* where the 'Mixed Court of Justice resides, a Register of all emancipated Negroes, in which shall be entered 'with scrupulous Exactness the Names given to the Negroes, the Names of the Vessels in which they 'were captured, the Names of the Persons to whose Care they have been committed, and any other 'Circumstances likely to contribute to the End in view.

'ARTICLE VI.—The Register to which the preceding Article refers will serve to form a general 'Return, which the highest Civil Authority of that Part of the Possessions of the Republic of *Bolivia* 'where the Mixed Court of Justice resides shall be bound to deliver every Six Months to the aforesaid 'Mixed Commission, in order to show the Existence of the Negroes emancipated under this Treaty, 'the Improvement made in their Condition, and the Progress made in their religious and moral 'Instruction and in the Arts of Life. The aforesaid Return shall also specify the Names and 'Descriptions of such of the emancipated Negroes as shall have died during the Period for which the 'Return is made up.

'ARTICLE VII.—The High Contracting Parties agree, that if in future it should appear necessary 'to adopt new Measures, in consequence of those laid down in this Annex turning out inefficacious, 'the said High Contracting Parties will consult together, and will agree upon other Means better 'adapted for the complete Attainment of the Objects proposed.

'ARTICLE VIII.—The undersigned Plenipotentiaries have agreed, in conformity with Article XIII. 'of the Treaty signed by them on this Day, the Twenty-fifth of *September* One thousand eight 'hundred and forty, that this Annex, consisting of Eight Articles, shall be united to the said Treaty, 'and be considered an integral Part thereof.

'The Twenty-fifth Day of *September* of One thousand eight hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose Mª Linares.*

ARTICLES additional to the Treaty concluded this Twenty-fifth Day of *September* of One thousand 'eight hundred and forty, between Her *Britannic* Majesty and the Republic of *Bolivia*, for the 'Suppression of the Slave Trade.

'ARTICLE I.—It is agreed and understood, that if there should be any Delay in appointing the Judge and the Arbitrator to be nominated on the Part of the Republic of *Bolivia* to act in each of

'the

'the Mixed Courts of Justice to be established under this Treaty, or if those Officers, after being 'appointed, should at any Time be absent, then and in either of such Cases the Judge and Arbitrator 'appointed on the Part of Her *Britannic* Majesty, and present in the said Courts, shall, in the Absence 'of the *Bolivian* Judge and Arbitrator, proceed to open the said Courts, and to adjudge such Cases 'as may be brought before them under the Treaty; and the Sentence pronounced upon such Cases 'by the said *British* Judge and Arbitrator shall have the same Force and Validity as if the Judge and 'the Arbitrator on the Part of *Bolivia* had been appointed and had been present and acting in the 'Mixed Courts in the Cases in question.

'ARTICLE II.—It is also agreed, notwithstanding the Provisions of the First Article of the 'Annex (B.), that so long as no *Bolivian* Judge and Arbitrator are nominated it will be unnecessary 'for the Republic of *Bolivia* to nominate the Secretary or Actuary mentioned in the said Article; 'that in the meanwhile the Secretary or Actuary of the Court which may exist within the Territory 'of the Republic of *Bolivia* shall be named and paid by the Government of Her *Britannic* Majesty, 'and that the entire Expence of both the Courts to be established under this Treaty shall be borne by 'the Government of Her *Britannic* Majesty.

'ARTICLE III.—If, in the drawing up of this Treaty in the *Spanish* Language, any involuntary 'Error has been made in the Translation, the *English* Text is to be adhered to.

'The present additional Articles shall form an integral Part of the Treaty for the Suppression of 'the Slave Trade signed this Day, and shall have the same Force and Validity as if they were 'inserted Word for Word in that Treaty, and shall be ratified, and the Ratifications shall be 'exchanged at the same Time.

'In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto 'their respective Seals.

'Done at *Sucre*, the Twenty-fifth Day of *September* in the Year of our Lord One thousand 'eight hundred and forty.

'(L.S.) *Belford Hinton Wilson.*
'(L.S.) *Jose Mª Linares.*

'And whereas the said Treaty has been ratified by and between Her Majesty and the Republic of *Bolivia* 'respectively: And whereas it is expedient and necessary that effectual Provision should be made for 'carrying into execution the Provisions of the Treaty aforesaid, and the Articles additional thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the Republic of *Bolivia*, who shall be duly instructed and authorized according to the several Provisions of the said Treaty, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic of Slaves, or of having been engaged in such Traffic during the Voyage on which such Vessel is met, or of having been fitted out for the Purposes of such Traffic, and to detain and send or carry away such Vessel, together with its Master, Crew, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Courts of Justice to be established in virtue of the said Treaty and the Articles additional thereto; and all such Commanders and other Officers of Her said Majesty's Ships, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, shall comply with the several Provisions and Instructions of the said Treaty and Articles which apply thereto respectively.

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion, and suspected of being engaged in the Slave Trade.

Ships suspected of having been fitted out for the Purposes of Traffic in Slaves liable to search.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects, which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by any Ship or Vessel of War of Her Majesty or of the Republic of *Bolivia*, duly authorized for that Purpose, according to the Stipulations of the said Treaty and Articles, and shall be subject to the Adjudication of and to Condemnation or other Judgment by the Judges and Arbitrators of the Mixed Courts to be appointed according to the Provisions of the said Treaty and Articles.

Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention.

III. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Judges and Arbitrators as are in the said Treaty and Articles mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices by appointing other Persons thereto, and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall from Time to Time direct; and such Judges and Arbitrators shall examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments and make such Orders therein, and do all other Things appertaining thereto, agreeably to the Provisions of the said Treaty and Articles, as fully as if special Authorities for that Purpose were given in relation thereto in this Act.

Her Majesty may appoint a Secretary or

IV. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint any Secretary or Registrar to the Mixed Court or Courts which shall be established in virtue

of

of the said Treaty and Articles, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Courts, and to grant a Salary to any such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and any such Secretary or Registrar shall perform all the Duties of such Office set forth by the said Treaty and Articles, and do all such Things as may be necessary for the due Discharge of the Duties of his said Office. Registrar to the Mixed Court.

V. And be it enacted, That in case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Judge of either of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Judge *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Judge shall resume the Duties of his said Office; and that in case of such Vacancy of the Office of the *British* Arbitrator of the Court established by virtue of the said Treaty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Court, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate of the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty, or until such Arbitrator shall resume the Duties of his said Office; and in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Court established by virtue of the said Treaty within the Possessions of the Republic of *Bolivia*, or of his assuming *ad interim* the Duties of a Judge of the said Court as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Judge and *British* Arbitrator, then that such Office of Judge shall be filled *ad interim* by the *British* Consul, and such Office of *British* Arbitrator by the *British* Vice Consul; and in case there shall be no *British* Consul or *British* Vice Consul at such Place, then that it shall be lawful for the Arbitrator on behalf of the Republic of *Bolivia* to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Judge and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice Consul resident at such Place, then that it shall be lawful for the Judge and Arbitrator appointed by the Republic of *Bolivia* of such Court to sit alone in such Court; and in all Cases brought before them for Adjudication to adjudge the same, and to pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Judge and *British* Arbitrator shall resume the Duties of their said Offices respectively. In case of the Death or Incapacity from Illness of any British Judge of such Courts, or of the British Arbitrator.

VI. And be it enacted, That every such Judge and Arbitrator so appointed by Her Majesty shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place, whether belonging to Her *Britannic* Majesty or to the Republic of *Bolivia*, in which the Court shall be established; which Oath any such Magistrate shall have Authority to administer in the Form following; (that is to say,) The Judges and Arbitrators to take an Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office as faithfully, impartially, fairly, and without Preference 'or Favour, either for Claimants or Captors or any other Persons; and that I will, to the best of my 'Judgment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instruc- 'tions contained in the Treaty and Articles additional thereto between Her Majesty and the Republic of '*Bolivia*, signed at *Sucre* on the Twenty-fifth Day of *September* One thousand eight hundred and forty.' Form of Oath.

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and Articles, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before one of the Judges of the said Court, who shall have Authority to administer the same, in the following Form; (that is to say,) Secretary or Registrar to take an Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office; and that I will conduct myself with Respect to the Authority of the Judges 'and Arbitrators of the Court to which I am attached, and will act with Fidelity in all the Affairs which may 'belong to my Charge, and without Preference or Favour, either for Claimants or Captors or any other 'Persons.'

VII. And be it enacted, That it shall be lawful for the said Judges or Arbitrators, or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the course of any Proceeding before the said Judges or Arbitrators under the said Treaty and Articles, and this Act; and it shall also be lawful for the said Judges and Arbitrators to summon before them all Persons whom they may deem it proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the Production of all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means and Authorities as any Court of Vice Admiralty may do. Judges and Arbitrators may administer Oaths.

VIII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken upon or in any Proceeding before the Judges or Arbitrators aforesaid under the said Treaty or Articles additional, or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either Punishing Persons giving false Evidence.

either in the Place where the Offence was committed or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*; and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex*.

Pendency of Suits before the Judges to be a Bar to Proceedings for Recovery of Vessels detained.

IX. And be it enacted, That the Pendency of any Suit or Proceeding instituted before the said Judges or Arbitrators for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty or Articles, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in bar, and shall be a good and complete Bar in any Suit or Proceeding, whether brought or instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any thing done in pursuance of the Provisions of the said Treaty or Articles.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

X. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the Treaty or Articles herein-before mentioned, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized under the Provisions of the said Treaty or Articles to make such Seizure, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaty or Articles aforesaid, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty of Five Pounds for every Slave found on board of Vessels seized and condemned.

XI. And be it enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty or Articles, a Bounty of Five Pounds of lawful Money of *Great Britain*, for every Slave, whether Man, Woman, or Child, who shall be seized and found on board a *British* or *Bolivian* Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Treaty or Articles, and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order, by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Bounties not liable to Payment of Fees.

XII. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, on the Seizure of Slaves found on board any Ship or Vessel condemned in pursuance of the Provisions of this Act, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Mode of obtaining such Bounty.

XIII. Provided always, and be it enacted, That, in order to entitle the Captors to receive the said Bounty Money, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

XIV. And be it enacted, That where any Slave, or Person treated, dealt with, carried, kept, or detained as a Slave, shall be taken or seized on board any *British* or *Bolivian* Ship or Vessel, in pursuance of the Provisions of the said Treaty and Articles, and of this Act, but shall not have been condemned, or shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to them in their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, of a Sum not exceeding One Moiety of the Bounty which would have been due in each Case respectively if such Slave had been delivered over and condemned.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XV. Provided always, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *Bolivian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty or Articles, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act.

XVI. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties now in force respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon, to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed, under the Provisions of this Act, to the Officers and Crews of any of Her Majesty's Ships or Vessels of War.

Where Judgment given against Seizor, or Seizure relinquished, Treasury may direct Payment of the Costs and Damages.

XVII. And be it enacted, That when any Seizure shall be made or Prosecution instituted, as or for the Violation of any of the Provisions of this Act, and Judgment shall be given against the Seizor or Prosecutor, or such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, of such Costs, Damages, and Expences as the said Seizor or Prosecutor may be liable to pay in respect of such Seizure, or any proportionate Part thereof, and also such Costs and Expences as the said Seizor may have incurred in respect of such Seizure.

XVIII. And

XVIII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Sums of Money awarded by the Mixed Commission Courts to be due on account of any unlawful Seizure or Detention by any of Her Majesty's authorized Cruisers: Provided always, that nothing herein contained shall exempt the Seizor from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners.

Treasury may direct Payment of Sums awarded for unlawful Seizures.

Liability of Seizors not taken away.

XIX. Provided always, and be it enacted, That if any of the Things specified in the Eighth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Mixed Courts, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Mixed Court should not pronounce any Sentence of Condemnation.

No Compensation when any Articles specified in the Eighth Article are found.

CAP. XV.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of *Texas* for the Suppression of the *African* Slave Trade. [11th *April* 1843.]

'WHEREAS on the Sixteenth Day of *November* in the Year of our Lord One thousand eight hundred and forty a Treaty was concluded and signed at *London*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Texas*, for the Suppression of the *African* Slave Trade, whereby it was agreed as follows:

'ARTICLE I.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Texas* engage to prohibit *African* Slave Trade, either by their respective Subjects or Citizens, or under their respective Flags, or by means of Capital belonging to their respective Subjects or Citizens, and to declare such Trade Piracy; and the High Contracting Parties further declare, that any Vessel attempting to carry on the Slave Trade shall by that Act alone lose all Right to claim the Protection of their Flag.

'ARTICLE II.—In order more completely to accomplish the Object of the present Treaty, the High Contracting Parties mutually consent that those Ships of their respective Navies which shall be provided with special Warrants and Orders, according to the Form in Annex (A.) to this Treaty, may visit such Merchant Vessels of either of the High Contracting Parties as may upon reasonable Grounds be suspected of being engaged in the aforesaid Traffic in Slaves, or of having been fitted out for that Purpose, or of having, during the Voyage on which they are met with by the said Cruisers, been engaged in the aforesaid Traffic; and that such Cruisers may detain and send or carry away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

'But the above-mentioned Right of searching Merchant Vessels of either of the High Contracting Parties shall be exercised only by Ships of War whose Commanders shall have the Rank of Captain, or at least that of Lieutenant in the Navy, unless the Command shall by reason of Death or otherwise be held by an Officer of inferior Rank; and the Commander of such Ship of War shall be furnished with a Warrant according to the Form annexed to this Treaty, Letter (A.); and the said Right shall not be exercised within the *Mediterranean Sea*, nor within those Seas in *Europe* which lie without the *Straits of Gibraltar* and to the Northward of the Thirty-seventh Parallel of North Latitude, and within and to the Eastward of the Meridian of Longitude Twenty Degrees West of *Greenwich* nor in the *Gulf of Mexico* to the Northward of the Twenty-fifth Parallel of North Latitude, nor to the Westward of the Ninetieth Degree of Longitude West of *Greenwich*.

'ARTICLE III.—Each of the High Contracting Parties reserves to itself the Right to fix according to its own Convenience the Number of Ships of its Navy which shall be employed on the Service mentioned in the Second Article of this Treaty, and the Stations on which such Ships shall cruise.

'The Names of the Ships so to be employed and of their Commanders shall be communicated by each Contracting Party to the other; and Information shall be reciprocally given by each to the other when a Cruiser is moved from or to a cruising Station, in order that the necessary Warrants for the Cruizers may be delivered by the Government of either Party, as the Case may be, and may, when no longer wanted for Use under this Treaty, be returned to the Government which issued them by the Government which received them.

'ARTICLE IV.—Immediately after the Government which employs the Cruisers shall have notified to the Government which is to authorize the Visit the Number and Names of the Cruisers intended to be employed, the Warrants authorizing the Visit shall be made out according to the Form annexed to this Treaty, Letter (A.), and shall be delivered by the Government authorizing the Visit to the Government employing the Cruiser.

'In no Case shall the Right of mutual Visit be exercised upon the Ships of War of either Nation.

'The High Contracting Parties shall agree upon a particular Signal to be used by those Cruisers exclusively which are invested with the Right of Visit.

'ARTICLE V.—The Cruisers of the High Contracting Parties authorized to exercise the Right of Visit and Detention in execution of this Treaty shall, in all that relates to the Formalities of the Visit and of the Detention, as well as in regard to the Measures to be taken for delivering up to the

'proper Jurisdictions Vessels suspected of being engaged in the Slave Trade, conform strictly to 'the Instructions annexed to the present Treaty, Letter (B.)

'The High Contracting Parties reserve to themselves the Power of making in these Instructions, 'by common Consent, any Alterations which Circumstances may render necessary.

'The Cruisers of the High Contracting Parties shall afford to each other mutual Assistance on all 'Occasions when it may be useful that they should act in concert.

'ARTICLE VI.—Whenever a Merchant Vessel navigating under the Flag of either of the Con- 'tracting Parties shall have been detained by a Cruiser of the other duly authorized to that Effect 'conformably to the Provisions of this Treaty, such Merchant Vessel, as also her Master, her Crew, 'her Cargo, and the Slaves who may be on board of her shall be carried to such Place as shall have 'been appointed to that end by the Contracting Parties respectively, and they shall be delivered over 'to the Authorities appointed for that Purpose by the Government within whose Territory such Place 'shall be, to be proceeded against before the proper Tribunals, as herein-after directed.

'When the Commander of the Cruiser shall not think proper to take upon himself to carry in and 'deliver up the detained Vessel, he shall not intrust that Duty to an Officer below the Rank of 'Lieutenant in the Navy, unless it be to the Officer who at the Time shall not be lower than Third in 'Command of the detaining Ship.

'ARTICLE VII.—If the Commander of a Cruiser of either of the Contracting Parties shall have 'Reason to suspect that a Merchant Vessel navigating under Convoy of or in company with a Ship of 'War of the other Contracting Party has been engaged in the Slave Trade, or has been fitted out for 'the said Trade, he is to make known his Suspicions to the Commander of the Ship of War, who 'shall proceed alone to visit the suspected Vessel; and if the last-mentioned Commander shall find 'that the Suspicion is well founded, he shall cause the Vessel, together with her Master, her Crew, 'and the Cargo, and the Slaves who may be on board of her, to be taken into a Port of her own 'Nation, to be proceeded against before the proper Tribunals, as herein-after directed.

'ARTICLE VIII.—As soon as any Merchant Vessel detained and sent in for Adjudication shall 'arrive at the Port to which she is to be carried under the Provisions of Annex (B.) to this Treaty, 'the Commander of the Cruiser which shall have detained her, or the Officer appointed to bring her 'in, shall deliver to the Authorities appointed for that Purpose a Copy, signed by himself, of all the 'Lists, Declarations, and other Documents specified in the Instructions which are annexed to the 'present Treaty, Letter (B.); and the said Authorities shall in consequence proceed to a Survey of 'the detained Vessel and her Cargo, and to an Inspection of her Crew and of the Slaves who may be 'on board, after having previously given Notice of the Time of such Survey and Inspection to the 'Commander of the Cruiser, or to the Officer who shall have brought in the Vessel, in order that 'he, or some Person on his Behalf, may be present thereat.

'A Declaration of these Proceedings shall be drawn up in Duplicate, signed by the Persons who 'shall have acted therein, or who shall have been present at the same; and one of the said Decla- 'rations shall be delivered to the Commander of the Cruiser, or to the Officer who shall have been 'appointed to bring in the detained Vessel.

'ARTICLE IX.—Any Merchant Vessel of either of the High Contracting Parties which shall be 'visited and detained in pursuance of the Provisions of this Treaty shall, unless Proof be given to the 'contrary, be deemed to have been engaged in the *African* Slave Trade, or to have been fitted out 'for the Purposes of such Traffic, if any of the Particulars herein-after specified shall be found in her 'Outfit or Equipment, or to have been on board during the Voyage in which the Vessel was proceeding 'when captured; (*videlicet,*)

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulkheads in the Hold or on Deck in greater Number than are 'necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Plank fitted for being laid down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consumption 'of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Receptacles for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House at the Place from which he 'cleared Outwards, stating that sufficient Security had been given by the Owners of such Vessels 'that such extra Quantity of Casks or of other Receptacles should only be used to hold Palm Oil, 'or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler or other cooking Apparatus of an unusual Size, and larger, or fitted for 'being made larger, than requisite for the Use of the Crew of the Vessel as a Merchant Vessel; 'or more than One Boiler or other cooking Apparatus of the ordinary Size.

'Ninthly,—An extraordinary Quantity of Rice, of the Flour of *Brazil*, Manioc or Cassada, 'commonly called Farina, of Maize, or of *Indian* Corn, or of any other Article of Food whatever, 'beyond what might probably be requisite for the Use of the Crew; such Rice, Flour, Maize,

'*Indian*

'*Indian* Corn, or other Article of Food not being entered in the Manifest as Part of the Cargo for 'Trade.

'Tenthly,—A Quantity of Mats or Matting greater than is necessary for the Use of the Vessel 'as a Merchant Vessel.

'Any One or more of these several Things, if proved to have been found on board or to have been 'on board during the Voyage on which the Vessel was proceeding when captured, shall be considered 'as *primâ facie* Evidence of the actual Employment of the Vessel in the *African* Slave Trade; and 'the Vessel shall thereupon be condemned, and be declared lawful Prize, unless clear and incontestable 'Evidence on the Part of the Master or Owners shall establish, to the Satisfaction of the Court, that 'such Vessel was, at the Time of her Detention or Capture, employed in some legal Pursuit, and 'that such of the several Things above enumerated as were found on board her at the Time of her 'Detention, or which had been put on board her during the Voyage on which she was proceeding 'when captured, were needed for legal Purposes on that particular Voyage.

'ARTICLE X.—A Vessel detained as before mentioned, together with her Master, Crew, and 'Cargo, shall be forthwith proceeded against before the proper Tribunals of the Country to which 'she belongs, and shall be tried and adjudged by and according to the established Forms and Laws 'in force in that Country; and if in consequence of such Proceedings the said Vessel shall be 'found to have been employed in the *African* Slave Trade, or to have been fitted out for the 'Purposes thereof, the Vessel and her Equipments, and her Cargo of Merchandize, shall be con-'fiscated, and the Master, the Crew, and the Accomplices shall be dealt with conformably to the 'Laws by which they have been tried.

'If the said Vessel shall be confiscated, the Proceeds arising from her Sale shall, within Six 'Months from the Date of such Sale, be paid into the Hands of the Government of the Country to 'which the Captor belongs, to be distributed according to Law among the Officers and Crew of the 'capturing Ship.

'ARTICLE XI.—If any of the Things specified in Article IX. of this Treaty shall be found on 'board or to have been on board of any Merchant Vessel during the Voyage on which the Vessel 'was proceeding when captured, no Compensation for Losses, Damages, or Expences consequent 'upon the Detention of such Vessel shall in any Case be granted either to her Master or to her 'Owner, or to any other Person interested in her Equipment or Lading, even though Sentence of 'Condemnation should not be pronounced against her, in consequence of her Detention.

'ARTICLE XII.—In all Cases in which a Vessel shall under this Treaty be detained as having 'been engaged in the *African* Slave Trade, or as having been fitted out for the Purposes thereof, 'and shall be adjudged and confiscated accordingly, the Government whose Cruiser detained the 'Vessel, or the Government by whose Tribunal the Vessel may be condemned, may purchase the 'condemned Vessel for the Use of its Navy, at a Price to be fixed by a competent Person to be 'chosen for that Purpose by the said Tribunal, the Government whose Cruiser detained the 'condemned Vessel having the first Choice of purchasing her; but if the condemned Vessel shall not 'be so purchased, the said Vessel shall, immediately after the Sentence of Confiscation, be broken up 'entirely, and shall be sold in separate Parts after having been so broken up.

'ARTICLE XIII.—When a Merchant Vessel detained under this Treaty shall, upon Adjudication 'before the proper Tribunal, be held not to have been engaged in the *African* Slave Trade, and not 'to be fitted up for the Purposes thereof, she shall be restored to her lawful Owner or Owners; and 'if in the course of Adjudication it shall be proved that she has been visited and detained illegally 'or without sufficient Cause of Suspicion, or if it shall be proved that the Visit and Detention have 'been attended with any Abuse or with vexatious Acts, the Commander of the Cruiser, or the Officer 'who shall have boarded the said Vessel, or the Officer who shall have been appointed to bring her 'in, and under whom (as the Case may be) the Abuse or vexatious Acts shall have been committed, 'shall be liable to Costs and Damages, to be paid to the Master and to the Owners of the Vessel 'and Cargo.

'These Costs and Damages may be awarded by the Tribunal before which the Proceedings against 'the detained Vessel, her Master, Crew, and Cargo, shall have been instituted; and the Government 'of the Country to which the Officer whose Proceedings gave occasion for such Award belongs shall 'pay the Amount of the said Costs and Damages within the Period of One Year from the Date 'of the Award.

'ARTICLE XIV.—If in the Visit or Detention of a Merchant Vessel under this Treaty any Abuse 'or Vexation shall have been committed, and if the Vessel shall not have been delivered over to the 'Jurisdiction of her own Nation, the Master of the Vessel shall make a Declaration on Oath of the 'Abuses or Vexations of which he has to complain, and of the Costs and Damages to which he lays 'claim; and this Declaration shall be made by him before the competent Authorities in the first Port 'of his own Country at which he may arrive, or before the Consular Agent of his own Nation at a 'Foreign Port, if the Vessel shall first proceed to a Foreign Port where there is such an Agent.

'This Declaration shall be confirmed by an Examination upon Oath of the principal Persons 'among the Crew or Passengers who have witnessed the Visit or Detention; and a formal Statement 'of the whole shall be drawn up, and Two Copies thereof shall be delivered to the Master, who shall 'forward One of them to his own Government in support of his Claim for Costs and Damages.

'It is understood, that if any Circumstances should unavoidably prevent the Master from making 'this Declaration, it may be made by the Owner, or by any other Person interested in the Vessel and 'in her Cargo.

'On receiving officially a Copy of the formal Statement above mentioned, the Government of the 'Country to which the Officer so charged with Abuses and Vexation shall belong shall forthwith 'institute an Inquiry into the Matter; and if the Complaint be proved to be valid, the said Govern- 'ment shall cause to be paid to the Master or Owner, or to any other Person interested either in the 'Vessel which has been molested or in her Cargo, the proper Amount of Costs and Damages.

'ARTICLE XV.—The High Contracting Parties engage reciprocally to communicate each to the 'other, when asked to do so, and free of Expence, Copies of Proceedings instituted, and of Judgments 'given, relative to Vessels visited or detained in execution of the Provisions of this Treaty.

'ARTICLE XVI.—The High Contracting Parties agree to insure the immediate Freedom of all 'Slaves who shall be found on board Vessels detained and condemned in virtue of the Stipulations of 'the present Treaty; and for this Purpose it is agreed that all Slaves found on board a *Texian* 'Vessel detained in the *West Indies* shall, if the Vessel be condemned by the *Texian* Tribunals, 'be delivered over by the *Texian* to the *British* Authorities, to be conveyed, at the Expence of the '*British* Government, to some one of the *British* Colonies in the *West Indies;* and in regard to '*Texian* Vessels detained on the Coast of *Brazil* or on the Coast of *Africa*, it is further agreed that, 'in order that any Slaves found on board such Vessels may not be exposed to the Sufferings which 'would attend a Voyage to *Texas*, such Slaves shall, notwithstanding any thing to the contrary in 'Articles VI. and VII. of this Treaty, be carried or sent at once by the Commander of the capturing 'Cruiser to one of the *British* Settlements on the Coast of *Africa*, the Vessel herself being sent on 'to *Galveston* for Adjudication.

'ARTICLE XVII.—The Acts or Instruments annexed to this Treaty, and which it is mutually 'agreed shall form an integral Part thereof, are as follows:

'(A.) Forms of Warrants to authorize, and of Orders to guide, the Cruisers of either Nation 'in making Visits and Detentions under this Treaty.

'(B.) Instructions for the Cruisers of the respective Navies employed under this Treaty to 'prevent the *African* Slave Trade.

'ARTICLE XVIII.—The present Treaty, consisting of Eighteen Articles, shall be ratified, and 'the Ratifications thereof shall be exchanged in *London* in Nine Months from this Date, or sooner 'if possible.

'In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto 'the Seals of their Arms.

'Done at *London*, the Sixteenth Day of *November* in the Year of our Lord One thousand eight 'hundred and forty.

'(L.S.) *Palmerston.*
'(L.S.) *J. Hamilton.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of TEXAS for the SUPPRESSION of 'AFRICAN SLAVE TRADE; signed at *London, November* the Sixteenth in the Year One thousand 'eight hundred and forty.

'FORM I.—*Warrant in virtue of which a Cruiser of either of the High Contracting Parties may visit 'and detain a Merchant Vessel belonging to or bearing the Flag of the other, and suspected of African 'Slave Trade, or of being fitted out for it.*

'Whereas by a Treaty between *Great Britain* and the Republic of *Texas*, signed at *London* on the 'Sixteenth Day of *November* in the Year One thousand eight hundred and forty, for the total 'Extinction of the *African* Slave Trade, it was stipulated that certain Cruisers belonging to the said 'Countries respectively should be authorized, under the special Instructions thereto annexed, to visit 'and detain within particular Limits Merchant Vessels of the other Contracting Party engaged in 'the *African* Slave Trade, or suspected of being fitted out for that Traffic: And whereas the 'Government of has thought fit that the Vessel you command shall be one of 'the Cruisers furnished with the said special Instructions, and you will accordingly 'receive Instructions from the said Government for your Guidance on the said Service; you are 'therefore authorized and empowered by virtue of those Instructions and of this present Warrant 'to visit Merchant Vessels under the Flag suspected of being engaged in the *African* 'Slave Trade within the Limits set forth in the Second Article of the aforesaid Treaty, and to deal 'with such Vessels as shall have engaged in the *African* Slave Trade, or shall be suspected of 'being fitted out for that Traffic, as pointed out in the said Treaty and in the Instructions thereunto 'annexed.

'Given under our Hands and the Seal of the Office of Admiralty, this Day of 'One thousand eight hundred and .

'(Signature.)

'To the Commander of the Ship the .

'FORM

'FORM II.—*Order for the Guidance of the Commander of the Cruiser of either of the High Contracting Parties in visiting and detaining a Merchant Vessel belonging to or bearing the Flag of the other.*

'Whereas by a Treaty between *Great Britain* and the Republic of *Texas*, signed at *London* on the Sixteenth Day of *November* in the Year One thousand eight hundred and forty, for the total Extinction of the *African* Slave Trade, it was stipulated that certain Cruisers belonging to the said Countries respectively should be authorized under the special Instructions thereto annexed to visit and detain, within particular Limits, Merchant Vessels of the other Contracting Party engaged in the *African* Slave Trade, or suspected of being fitted out for that Traffic: And whereas we think fit that the Vessel you command shall be one of the Cruisers furnished with the said special Instructions; we herewith transmit to you a Copy of the said Treaty and of the Instructions thereto annexed; and you are accordingly authorized and empowered by virtue of this present Order and of the accompanying Warrant from the Government of to visit, within the Limits set forth in the Second Article of the aforesaid Treaty, Merchant Vessels under the Flag suspected of being engaged in the *African* Slave Trade, and to deal with such Vessels as shall have engaged in the said Traffic, or shall be suspected of being fitted out for that Traffic in the Manner pointed out in the said Treaty, Instructions, and Warrant; and we charge and require you to conform most strictly to all the Provisions and Stipulations contained therein, taking care to exercise the Authority so conferred upon you in the mildest Manner, and with every Attention which is due between allied and friendly Nations, and to co-operate cordially with the Commanders of any Vessels of War employed in the same Service.

'Given under our Hands the Day of One thousand eight hundred and .

'(Signature.)

'To the Commander of the Ship the .

'These Forms of Warrants and Orders shall be annexed to the Treaty signed this Day between *Great Britain* and the Republic of *Texas*, for the Suppression of *African* Slave Trade, and shall be considered as an integral Part of that Treaty.

'In witness whereof the respective Plenipotentiaries have signed the present Annex, and have affixed thereto the Seals of their Arms.

'Done at *London*, the Sixteenth Day of *November* in the Year of Our Lord One thousand eight hundred and forty.

'(L.S.) *Palmerston.*
'(L S.) *J. Hamilton.*

'ANNEX (B.)

'To the Treaty between *Great Britain* and the Republic of *Texas* for the Suppression of *African* Slave Trade, signed at *London*, *November* the Sixteenth in the Year One thousand eight hundred and forty.

'*Instructions to Cruisers.*

'First,—Whenever a Merchant Vessel belonging to or bearing the Flag of either of the High Contracting Parties to the Treaty of this Date shall be visited by a Cruiser of the other, the Officer commanding the Cruiser shall, before he proceeds to the Visit, exhibit to the Master of such Vessel the special Orders which confer upon him by Exception the Right to visit her; and he shall deliver to such Master a Certificate, signed by himself, specifying his Rank in the Navy of his Country, with the Name of the Ship which he commands, and declaring that the only Object of his Visit is to ascertain whether the Vessel is engaged in the *African* Slave Trade, or is fitted out for the Purpose of such Traffic, or has been engaged in the said Traffic during the Voyage in which she is met with by the said Cruiser. When the Visit is made by an Officer of the Cruiser other than her Commander, such Officer shall not be under the Rank of Lieutenant in the Navy, unless he be the Officer who at the Time is Second in Command of the Ship by which the Visit is made; and in these Cases such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Orders above mentioned, signed by the Commander of the Cruiser, and shall likewise deliver to such Master a Certificate, signed by himself, specifying the Rank which he holds in the Navy of his Country, the Name of the Commander under whose Orders he is acting, the Name of the Cruiser to which he belongs, and the Object of his Visit, as herein-before recited.

'If it shall be ascertained by the Visit that the Ship's Papers are regular and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place in virtue of the special Orders above mentioned, and these Formalities having been completed the Vessel shall be permitted to continue her Course.

'Secondly,—If, in consequence of the Visit, the Officer commanding the Cruiser shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the *African* Slave Trade, or has been fitted out for that Traffic, or has been engaged in that Traffic during the Voyage in which she is met with by the Cruiser, and if he shall in consequence determine to detain her, and to have her delivered up for Adjudication, he shall forthwith cause a List to be made out

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'in duplicate of all the Papers found on board; and he shall sign this List and the Duplicate, adding 'after his own Name his Rank in the Navy and the Name of the Vessel under his Command.

'He shall in like Manner make out and sign in duplicate a Declaration stating the Place and 'Time of the Detention, the Name of the Vessel and that of her Master, the Names of the Persons 'composing her Crew, and the Number and Condition of the Slaves found on board.

'This Declaration shall further contain an exact Description of the State of the Vessel and of her 'Cargo.

'Thirdly,—The Commander of the Cruiser shall without Delay carry or send the detained Vessel, 'with her Master, Crew, Passengers, Cargo, and the Slaves found on board, to one of the Ports or 'Places herein-after specified, in order that Proceedings may be instituted in regard to them 'conformably to the Laws of the Country under whose Flag the Vessel is sailing; and he shall 'deliver the same to the competent Authorities, or to the Persons who shall have been specially 'appointed for that Purpose by the Government within whose Territory such Port or Place 'shall be.

'Fourthly,—No Person whatever shall be taken out of the detained Vessel, nor shall any Part 'of her Cargo nor any of the Slaves found on board be removed from her, until after such Vessel 'shall have been delivered over to the Authorities of her own Nation, excepting in the Cases 'otherwise provided for in the Treaty to which these Instructions form an Annex or in the present 'Instructions, or unless the Removal of the Whole or of Part of the Crew or of the Slaves found 'on board shall be deemed necessary, either for the Preservation of their Lives or from any 'other Consideration of Humanity, or for the Safety of the Persons who shall be charged with 'the Navigation of the Vessel after her Detention; in any such Case the Commander of the 'Cruiser, or the Officer appointed to bring in the detained Vessel, shall make a Declaration of such 'Removal, in which he shall specify the Reasons for the same; and, except as otherwise provided 'for with respect to Slaves in the said Treaty or in these Instructions, the Master, Sailors, 'Passengers, or Slaves so removed shall be carried to the same Port or Place as the Vessel and her 'Cargo, and they shall be received in the same Manner as the Vessel, agreeably to the Regulations 'herein-after set forth.

'Fifthly,—All *Texian* Vessels which shall be detained by the Cruisers of *Great Britain* in 'consequence of being engaged in the *African* Slave Trade shall be carried and delivered up to the '*Texian* Jurisdiction at *Galveston;* but any Slaves found on Board of *Texian* Vessels detained on 'the Coast of *Brazil* or on the Coast of *Africa*, whether by a *British* or by a *Texian* Cruiser, 'under the Treaty to which the Instructions form an Annex, shall at once be carried or sent by 'the Commander of the capturing Cruiser to one of the *British* Settlements on the Coast of '*Africa;* and any Slaves found on board of *Texian* Vessels detained in the *West Indies*, whether 'by a *British* or a *Texian* Cruiser, under the Treaty to which these Instructions form an Annex, 'shall, together with the Vessel so detained, be carried and delivered up to the *Texian* Autho- 'rities at *Galveston*, to be disposed of after Adjudication according to the Provisions of the said 'Treaty.

'All *British* Vessels which shall be detained by the Cruisers of *Texas* in consequence of being 'engaged in the *African* Slave Trade shall, together with the Slaves found on board, be carried and 'delivered up to the *British* Jurisdiction at *Bathurst* on the River *Gambia*, if taken off the Coast 'of *Africa*, or at *Port Royal* in *Jamaica* if taken in the *West Indies*.

'Sixthly,—As soon as a Merchant Vessel which shall have been detained as aforesaid shall 'arrive at one of the Ports or Places above mentioned, the Commander of the Cruiser, or the 'Officer appointed to bring in such detained Vessel, shall forthwith deliver to the Authorities duly 'appointed for that Purpose by the Government within whose Territory such Place shall be the 'Vessel and her Cargo, together with the Master, Crew, and Passengers, and the Slaves found on 'board, unless such Slaves shall have been carried or sent to another Port or Place, as herein-before 'directed, and also the Papers which shall have been seized on board the Vessel, and one of the 'Duplicate Lists of the said Papers, retaining the other in his own Possession. Such Officer shall 'at the same Time deliver to the said Authorities one of the Declarations made out in duplicate, 'as herein-before specified, adding thereto a Statement of any Changes which may have taken place 'from the Time of the Detention of the Vessel to that of the Delivery, as well as a Copy of the 'Statement of any Removals which may have taken place as above provided for.

'In delivering over these several Documents the Officer shall make, in Writing and on Oath, an 'Attestation of their Truth.

'Seventhly,—If the Commander of a Cruiser of either of the High Contracting Parties, who 'shall be duly furnished with the aforesaid special Instructions, shall have Reason to suspect that 'a Merchant Vessel sailing under Convoy of or in company with a Ship of War of the other Party 'is engaged in the *African* Slave Trade, or has been fitted out for the Purpose of that Traffic, or 'has been engaged in the said Traffic during the Voyage in which she is met with by the said 'Cruiser, he shall confine himself to communicating his Suspicions to the Commander of the Ship 'of War, and he shall leave it to the latter to proceed alone to visit the suspected Vessel, and to 'deliver her up to the Jurisdiction of her own Country, if there shall be Cause for doing so.

'These Instructions shall be annexed to the Treaty signed this Day between *Great Britain* and

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'the Republic of *Texas* for the Suppression of *African* Slave Trade, and shall be considered as an 'integral Part of that Treaty.

'In witness whereof the respective Plenipotentiaries have signed the present Annex, and have 'affixed thereto the Seals of their Arms.

'Done at *London*, the Sixteenth Day of *November* in the Year of our Lord One thousand eight 'hundred and forty. '(L.S.) *Palmerston.*

'(L.S.) *J. Hamilton.*

'And whereas the said Treaty was ratified by and between Her Majesty and the Republic of *Texas*, 'and such Ratifications were exchanged at *London* on the Eighteenth Day of *June* in the Year of 'our Lord One thousand eight hundred and forty-two: And whereas it is expedient and necessary 'that effectual Provision should be made for carrying into execution the Provisions of the Treaty 'aforesaid, and the Articles additional thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the Republic of *Texas*, who shall be duly instructed and authorized according to the several Provisions of the said Treaty, and within the Waters therein described, to visit and search any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, according to the several Provisions and Instructions of the said Treaty, and upon sufficient Grounds to detain, and send or carry away, and deliver over without Delay any such Vessel, together with its Master, Crew, Passengers, Slaves, and Cargo, to the Authorities appointed for the Purposes of the said Treaty by the respective Governments of the said Two Nations, and to one of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted conformably to the respective Laws of the said Two Countries; and all such Commanders of Her said Majesty's Ships, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, shall comply with the several Provisions and Instructions of the said Treaty and Articles which apply thereto respectively.

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade.

II. And be it enacted, That where any such Officer of the Republic of *Texas* shall send, carry, or deliver over as aforesaid any such Merchant Vessel wholly or in part owned by any Subject or Subjects of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* by some Person duly thereunto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruisers of the Republic of *Texas* and delivered up to the Jurisdiction of Her Majesty at *Bathurst* on the River *Gambia* shall be proceeded against and adjudicated in the Vice Admiralty Court at *Sierra Leone*, and that all other Ships, Cargoes, and Slaves which may in like Manner be detained by the Cruisers of the Republic of *Texas* and delivered up to the Jurisdiction of Her Majesty either at *Jamaica*, *Cape of Good Hope*, or *Demerara* shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively shall be authorized to take cognizance thereof accordingly.

In case of Officers of the Republic of Texas detaining British Vessels, Proceedings to be conducted in the Name of Her Majesty.

III. And be it enacted and declared, That any such Merchant Vessel wholly or in part owned as last aforesaid, visited and detained in pursuance of the said Treaty, shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and equipped and employed in the Objects declared unlawful by an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, if any of the Particulars specified in the Ninth Article of the said Treaty of the Sixteenth Day of *November* in the Year One thousand eight hundred and forty shall be found in her Outfit or Equipment or on board of her.

Vessels detained in pursuance of the Treaty to be held as engaged in the Slave Trade. 5 G. 4. c. 113.

IV. And be it enacted, That in case any such Merchant Vessel wholly or in part owned as last aforesaid shall be seized by any Officer of the Republic of *Texas* duly authorized, and shall, with the Goods, Wares, and Merchandize laden therein, be confiscated according to the Laws of this Country and the Provisions of the said Treaty, it shall be lawful for Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* to direct the Proceeds arising from the Sale thereof to be paid into the Hands of the Government of the Republic of *Texas*, according to the Provisions of the Tenth Article of the said Treaty of the Sixteenth Day of *November* in the Year One thousand eight hundred and forty; and the Proceeds arising from the Sale of any Ship and Cargo agreed to be paid into the Hands of the Government of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, according to the Provisions of the said Tenth Article as aforesaid, shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* may appoint to receive the same, to and for the Use of the Captors, according to the Provisions of the said Tenth Article; and the same, after deducting all necessary Expences, shall be distributed amongst the Officers and Crew of the capturing Ship in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

Where a British Vessel is seized by an Officer of the Republic of Texas, Proceeds may be apportioned according to Tenth Article of Treaty.

V. And be it enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain*, and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty of the Sixteenth Day of *November* in the Year One thousand eight hundred and forty, a Bounty of Five Pounds of lawful Money of *Great Britain* for every Slave, whether

A Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned.

whether Man, Woman, or Child, who shall be seized and found on board a *British* or *Texian* Ship or Vessel taken, delivered over, and condemned in pursuance of the Provisions of the said Treaty and of this Act; such Bounty to be issued and paid by Order from the said Commissioners of Her Majesty's Treasury, and to be distributed amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order, by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Bounties not liable to Payment of Fees.

VI. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, on the Seizure of Slaves found on board any Ship or Vessel condemned in pursuance of the Provisions of this Act, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Mode of obtaining such Bounty.

VII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Numbers of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

VIII. And be it enacted, That where any Slave, or Person treated, dealt with, carried, kept, or detained as a Slave, shall be taken or seized on board any *British* or *Texian* Ship or Vessel in pursuance of the Provisions of the said Treaty and of this Act, but shall not have been condemned, or shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of a Sum not exceeding One Moiety of the Bounty which would have been due in each Case respectively if such Slave had been delivered over and condemned.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

IX. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *Texian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act.

X. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships or Vessels of War.

Where illegal Detention is made, the Lords of the Treasury may award Compensation,

XI. And be it enacted, That where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place and have been made by any Officer of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, mentioned in the Thirteenth Article of the said Treaty of the Sixteenth Day of *November* in the Year One thousand eight hundred and forty, it shall be lawful for the said Commissioners of Her Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs and Damages which may be awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Where Judgment given against Seizor, or Seizure relinquished, Treasury may direct Payment of Seizor's Costs.

XII. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty of the Sixteenth Day of *November* in the Year One thousand eight hundred and forty, and Judgment shall be given against the Seizor, or such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expences as the said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.

CAP. XVI.

An Act for carrying into effect the Treaty between Her Majesty and the Oriental Republic of the *Uruguay* for the Abolition of the Slave Trade. [11th *April* 1843.]

'WHEREAS on the Thirteenth Day of *July* in the Year of our Lord One thousand eight hundred and thirty-nine a Treaty was concluded and signed at *Monte Video* between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Oriental Republic of the *Uruguay*, for the Abolition of the Slave Trade, whereby it was agreed as follows:

'ARTICLE I.—The Slave Trade of the Oriental Republic of the *Uruguay* is hereby formally declared to be henceforward totally and finally abolished in all Parts of the World.

'ARTICLE II.—The President of the Oriental Republic of the *Uruguay* hereby engages that immediately after the Exchange of the Ratifications of the present Treaty, and from Time to Time afterwards,

'afterwards, as it may become needful, he will take the most effectual Measures for preventing the 'Citizens of the Oriental Republic of the *Uruguay* from being concerned and the Flag of that 'Republic from being used in carrying on in any way the Trade in Slaves, and especially that within 'Two Months after the said Exchange he will promulgate throughout the Territories of the Oriental 'Republic of the *Uruguay* a penal Law inflicting a Punishment the most severe on all those Citizens 'of that Republic who shall, under whatsoever Pretext, take any Part whatever in the Traffic in 'Slaves.

'ARTICLE III.—His Excellency the President of the Oriental Republic of the *Uruguay* also 'engages, that in further pursuance of the Stipulation contained in the First Article of this Treaty 'he will take the necessary Means for assimilating as soon as possible the Laws of the Oriental 'Republic of the *Uruguay* to those of *Great Britain* in as far as regards the Crime of Slave Trading; 'and Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and his Excel-'lency the President of the Oriental Republic of the *Uruguay* hereby mutually engage, that by an 'additional Convention hereafter to be concluded between the Two High Contracting Parties to the 'present Treaty they will concert and settle the Details of the Measures by which the Law of Piracy 'which will then become applicable to that Traffic, by the Legislation of each of the Two Countries, 'shall be immediately and reciprocally carried into execution with respect to the Vessels and Subjects 'or Citizens of each.

'ARTICLE IV.—In order more completely to prevent all Infringement of the Spirit of the present 'Treaty, the Two High Contracting Parties mutually consent that those Ships of their Navies respec-'tively which shall be provided with special Instructions for that Purpose as herein-after mentioned 'may visit such Merchant Vessels of the Two Nations as may be suspected upon reasonable Grounds 'of being engaged in the Traffic in Slaves, or of having been fitted out for the Purposes thereof, or 'of having during the Voyage on which they are met with by the said Cruisers been engaged in the 'Traffic in Slaves, contrary to the Provisions of this Treaty, and that such Cruisers may detain and 'send or carry away such Vessels, in order that they may be brought to Trial in the Manner herein-'after agreed upon.

'ARTICLE V.—In order to regulate the Mode of carrying the Provisions of the preceding Article 'into execution it is agreed,—

'First,—That all Ships of the Navies of the Two Nations which shall be hereafter employed to 'prevent the Traffic in Slaves shall be furnished by their respective Governments with a Copy, in 'the *English* and *Spanish* Languages, of the present Treaty, of the Instructions for Cruisers 'annexed thereto, *sub literâ* (A.), and of the Regulations for the Mixed Courts of Justice annexed 'thereto *sub literâ* (B.), which Annexes respectively shall be considered as an integral Part of the 'Treaty.

'Secondly,—That each of the High Contracting Parties shall from Time to Time communicate 'to the other the Names of the several Ships furnished with such Instructions, the Force of each, 'and the Names of their several Commanders.

'Thirdly,—That if at any Time there shall be just Cause to suspect that any Merchant Vessel, 'under the Flag and proceeding under Convoy of any Ship or Ships of War of either of the Con-'tracting Parties, is engaged or intended to be engaged in the Traffic in Slaves, or is fitted out for 'the Purposes thereof, or has during the Voyage on which she may be met with been engaged in 'the Traffic in Slaves, it shall be lawful for the Commander of any Ship of the Navy of either of 'the Two High Contracting Parties furnished with such Instructions as aforesaid to visit such 'Merchant Vessel, and such Commander shall proceed to effect the same in communication with 'the Commanding Officer of the Convoy, who it is hereby agreed shall give every Facility to such 'Visit, and to the eventual Detention of such Merchant Vessel, and in all things shall assist to the 'utmost of his Power in the due Execution of the present Treaty, according to the true Intent and 'Meaning thereof.

'Fourthly,—And it is further mutually agreed, that the Commanders of the Ships of the Two 'Navies respectively who shall be employed on this Service shall adhere strictly to the exact Tenor 'of the aforesaid Instructions.

'ARTICLE VI.—As the Two preceding Articles are entirely reciprocal, the Two High Contracting 'Parties engage mutually to make good any Losses which their respective Subjects or Citizens may 'incur by the arbitrary and illegal Detention of their Vessels, it being understood that this Indemnity 'shall invariably be borne by the Government whose Cruiser shall have been guilty of such arbitrary 'and illegal Detention, and that the Visit and Detention of Vessels specified in the Fourth Article of 'this Treaty shall only be effected by those *British* or *Monte-Videan* Ships which may form Part of 'the Navies, Royal and National respectively, of the Two High Contracting Parties to the Treaty, 'and by those only of such Ships which are provided with the special Instructions annexed to the 'present Treaty, in pursuance of the Provisions thereof.

'ARTICLE VII.—In order to bring to Adjudication with as little Delay and Inconvenience as 'possible the Vessels which may be detained according to the Tenor of the Fourth Article of this 'Treaty, there shall be established, within the Space of a Year at furthest from the Exchange of the 'Ratifications of the present Treaty, Two Mixed Courts of Justice, formed of an equal Number 'of Individuals of the Two Nations, named for this Purpose by the Two High Contracting Parties 'respectively.

'These Courts shall reside, one in a Possession belonging to Her *Britannic* Majesty, the other 'within the Territories of the Oriental Republic of the *Uruguay;* and the Two Governments, at the 'Period of the Exchange of the Ratifications of the present Treaty, shall declare, each for its own 'Territories, in what Places the Courts shall respectively reside, each of the Two High Contracting 'Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Court 'held within its own Territories: Provided, however, that one of the Two Courts shall always be held upon 'the Coast of *Africa*, and the other in one of the Possessions of the Oriental Republic of the *Uruguay*.

'These Courts shall judge the Causes submitted to them according to the Provisions of the present 'Treaty, without Appeal, and according to the Regulations and Instructions which are annexed to 'the present Treaty, and which are considered as forming an integral Part thereof.

'ARTICLE VIII.—In case the Commanding Officer of any of the Ships of the Navies of *Great* '*Britain* and *Monte Video* respectively, duly commissioned according to the Provisions of the Fourth 'Article of this Treaty, shall deviate in any respect from the Stipulations of the said Treaty, or from 'the Instructions annexed to it, the Government which shall conceive itself to be wronged thereby 'shall be entitled to demand Reparation, and in such Case the Government to which such Command- 'ing Officer may belong binds itself to cause Inquiry to be made into the Subject of the Complaint, 'and to inflict upon the said Officer a Punishment proportioned to any wilful Transgression which 'may have been committed.

'ARTICLE IX.—It is hereby further mutually agreed, that every Merchant Vessel, *British* or '*Monte-Videan*, which shall be visited by virtue of the present Treaty, may lawfully be detained 'and sent or brought before the Mixed Courts of Justice established in pursuance of the Pro- 'visions thereof, if in her Equipment there shall be found any of the Things herein-after mentioned; 'namely,

'First,—Hatches with open Gratings, instead of the close Hatches, which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulkheads in the Hold or on Deck in a greater Number than are 'necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Plank fitted for laying down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consump- 'tion of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House at the Place from which he 'cleared Outwards, stating that a sufficient Security had been given by the Owners of such Vessel 'that such extra Quantity of Casks or other Vessels should only be used for the Reception of Palm 'Oil, or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler of an unusual Size, and larger than requisite for the Use of the Crew of 'the Vessel as a Merchant Vessel, or more than One Boiler of the ordinary Size.

'Ninthly,—An extraordinary Quantity either of Rice, of the Flour of Brazil, Manioc or 'Cassada, commonly called Farinha, of Maize or of Indian Corn, beyond what might probably be 'requisite for the Use of the Crew, such Rice, Flour, Maize, or Indian Corn not being entered on 'the Manifest as Part of the Cargo for Trade.

'Any One or more of these several Circumstances, if proved, shall be considered as *primâ facie* 'Evidence of the actual Employment of the Vessel in the Slave Trade; and unless it be established 'by satisfactory Evidence upon the Part of the Master or Owners that such Vessel was at the 'Time of her Detention or Capture employed in some legal Pursuit, the Vessel shall thereupon 'be condemned and declared lawful Prize.

'ARTICLE X.—If any of the Things specified in the preceding Article shall be found in any 'Merchant Vessel, no Compensation for Losses, Damages, or Expences consequent upon the Detention 'of such Vessel shall in any Case be granted either to her Master or to her Owner, or to any 'other Persons interested in her Equipment or Lading, even though the Mixed Court of Justice 'should not pronounce any Sentence of Condemnation in consequence of her Detention.

'ARTICLE XI.—It is hereby agreed between the Two High Contracting Parties, that in all Cases 'in which a Vessel shall be detained under this Treaty by their respective Cruisers, as having been 'engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and shall 'consequently be adjudged and condemned by the Mixed Courts of Justice to be established as 'aforesaid, the said Vessel shall, immediately after its Condemnation, be broken up entirely, and 'shall be sold in separate Parts after having been so broken up.

'ARTICLE XII.—Each of the Two High Contracting Parties most solemnly binds itself to guarantee 'the Liberty of the Negroes who may be emancipated under the present Treaty by the Mixed Courts 'of Justice sitting within the Colonies or Possessions of such Government, and to afford from Time 'to Time, and whenever demanded by the other Party, or by the Members of the Mixed Court 'of Justice by whose Sentence the Slaves shall have been liberated, the fullest Information as to 'the State and Condition of such Negroes, with a view of ensuring the due Execution of the 'Treaty in this respect.

'For

'For this Purpose the Regulations annexed to this Treaty *sub literâ* (C.), as to the Treatment 'of Negroes liberated by Sentence of the Mixed Court of Justice, have been drawn up, and are 'declared to form an integral Part of this Treaty, the Two High Contracting Parties reserving to 'themselves the Right to alter by common Consent and mutual Agreement, but not otherwise, the 'Terms and Tenor of such Regulations.

'ARTICLE XIII.—The Acts or Instruments annexed to this Treaty, and which it is mutually 'agreed shall form an integral Part thereof, are as follows:

'(a) Instructions for the Ships of the Navies of both Nations destined to prevent the Traffic 'in Slaves.

'(b) Regulations for the Mixed Courts of Justice which are to hold their Sittings on the 'Coast of *Africa* and in one of the Possessions of the Oriental Republic of the *Uruguay*.

'(c) Regulations as to the Treatment of liberated Negroes.

'ARTICLE XIV.—The present Treaty, consisting of Fourteen Articles, shall be ratified, and the 'Ratifications thereof exchanged, within the Space of Eight Months from this Date, or sooner, 'if possible.

'In witness whereof the respective Plenipotentiaries have signed in duplicate Originals, *English* 'and *Spanish*, the present Treaty, and have thereunto affixed the Seal of their Arms.

'Done at *Monte Video* this Thirteenth Day of *July* in the Year of our Lord One thousand eight 'hundred and thirty-nine.

'(L.S.) *J. H. Mandeville.*
'(L.S.) *Jose Ellauri.*

'ANNEX (A.)

To the TREATY between GREAT BRITAIN and the ORIENTAL REPUBLIC of the URUGUAY for the 'ABOLITION of the SLAVE TRADE of the ORIENTAL REPUBLIC of the URUGUAY, of the Thirteenth '*July* One thousand eight hundred and thirty-nine.

'*Instructions for the Ships of the British and Monte-Videan Navies employed to prevent the Traffic 'in Slaves.*

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or 'of the Oriental Republic of the *Uruguay*, which shall be furnished with these Instructions, shall 'have a Right to visit, search, and detain any *British* or *Monte-Videan* Merchant Vessel which 'shall be actually engaged or suspected to be engaged in the Slave Trade, or to be fitted out for 'the Purposes thereof, or to have been engaged in the Traffic in Slaves during the Voyage on which 'she may be met with by such Ship of the *British* or *Monte-Videan* Navy; and such Commander 'shall thereupon bring or send such Merchant Vessel as soon as possible for Judgment before that 'one of the Two Mixed Courts of Justice established in virtue of the Seventh Article of the said 'Treaty, which shall be nearest to the Place of Detention, or which such Commander shall, upon his 'own Responsibility, think can be soonest reached from such Place.

'All and every Vessel under the Oriental Flag which shall be actually engaged or suspected to be 'or to have been engaged in the Slave Trade is to be considered an Oriental Vessel, it being 'mutually understood and agreed that this is not to serve as a Precedent as to what shall constitute 'an Oriental Vessel in the Discussions which may hereafter be resumed for the Negotiation of a 'Treaty of Commerce.

'ARTICLE II.—Whenever a Ship of either of the said Navies, duly authorized as aforesaid, shall 'meet a Merchantman liable to be visited under the Provisions of the said Treaty, the Search shall 'be conducted in the mildest Manner, and with every Attention which ought to be observed between 'allied and friendly Nations; and the Search shall in all Cases be made by an Officer holding a Rank 'not lower than that of Lieutenant in the Navies of *Great Britain* and of the Oriental Republic of 'the *Uruguay* respectively, or by the Officer who at the Time shall be Second in Command of the 'Ship by which such Search is made.

'ARTICLE III.—The Commander of any Ship of the Two Navies, duly authorized as aforesaid, 'who may detain any Merchant Vessel in pursuance of the Tenor of the present Instructions, shall 'leave on board the Vessel so detained the Master, the Mate or Boatswain, and Two or Three at 'least of the Crew thereof, the whole of the Slaves, if any, and all the Cargo.

'The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, which 'shall exhibit the State in which he found the detained Vessel, such Declaration to be signed by 'himself, and to be given in or sent, together with the captured Vessel, to the Mixed Court of 'Justice before which such Vessel shall be carried for Adjudication. He shall deliver to the Master 'of the detained Vessel a signed Certificate of the Papers seized on board the same, as well as of 'the Number of Slaves found on board at the Moment of Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as well as in the 'Certificate of the Papers seized, he shall insert his own Name, the Name of the capturing Ship, 'the Latitude and Longitude of the Place where the Detention shall have taken place, and the 'Number of Slaves found on board of the Vessel at the Time of the Detention.

'The Officer in charge of the Vessel detained shall, at the Time of bringing the Vessel's Papers 'into the Mixed Court of Justice, deliver into the Court a Paper, signed by himself, and verified 'on Oath, stating the Changes which have taken place in respect to the Vessel, her Crew, the

'Slaves, if any, and her Cargo, between the Period of her Detention and the Time of delivering 'in such Paper.

'ARTICLE IV.—The Slaves shall not be disembarked till after the Vessel which contains them 'shall have arrived at the Place of Adjudication, in order that, in the event of her not being adjudged 'legal Prize, the Loss of the Proprietors may be more easily repaired; and even after the Arrival 'of the Slaves at such Place, they are not to be landed without the Permission of the Mixed Court 'of Justice.

'But if urgent Motives, deduced from the Length of the Voyage, the State of Health of the 'Slaves, or from other Causes, should require that either the Whole or a Portion of the Negroes 'should be disembarked before the Vessel can arrive at the Place at which one of the said Courts 'is established, the Commander of the capturing Ship may take upon himself the Responsibility of 'so disembarking the Negroes; provided that such Necessity, and the Causes thereof, be stated in 'a Certificate in proper Form, and that this Certificate shall be drawn up and entered at the Time on 'the Log Book of the detained Vessel.

'The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the 'Treaty signed by them on this Day, the Thirteenth of *July* One thousand eight hundred and 'thirty-nine, that the preceding Instructions, consisting of Four Articles, shall be annexed to the said 'Treaty, and be considered an integral Part thereof.

'Done at *Monte Video*, the Thirteenth Day of *July* One thousand eight hundred and thirty-nine.

'(L.S.) *J. H. Mandeville.*

'(L.S.) *Jose Ellauri.*

'ANNEX (B.)

'To the TREATY between GREAT BRITAIN and the ORIENTAL REPUBLIC of the URUGUAY, for the 'ABOLITION of the SLAVE TRADE of the ORIENTAL REPUBLIC of the URUGUAY, of the Thirteenth 'Day of *July* One thousand eight hundred and thirty-nine.

'*Regulations for the Mixed Courts of Justice which are to reside on the Coast of Africa and in the 'Possessions of the Oriental Republic of the Uruguay.*

'ARTICLE I.—The Mixed Courts of Justice to be established under the Provisions of the Treaty 'of which these Regulations are declared to be an integral Part shall be composed in the following 'Manner:

'The Two High Contracting Parties shall each of them name a Judge and an Arbitrator, who 'shall be authorized to hear and to decide, without Appeal, all Cases of the Capture or Detention of 'Vessels which, in pursuance of the Stipulations of the aforesaid Treaty, shall be brought before them. 'The Judges and the Arbitrators shall, before entering upon the Duties of their Office, respectively 'make Oath before the principal Magistrate of the Places in which such Courts respectively shall 'reside, that they will judge fairly and faithfully, that they will have no Preference either for the 'Claimants or the Captors, and that they will act in all their Decisions in pursuance of the Stipulations 'of the aforesaid Treaty.

'There shall be attached to each of such Courts a Secretary or Registrar, who shall be appointed 'by the Government of the Country within the Territories of which such Court shall reside. Such 'Secretary or Registrar shall register all the Acts of such Court, and shall, previous to entering upon 'his Office, make Oath before the Court to which he is appointed, that he will conduct himself with 'due Respect for its Authority, and will act with Fidelity and Impartiality in all Matters relating to 'his said Office. The Salary of the Secretary or Registrar of the Court to be established on the 'Coast of *Africa* shall be paid by Her *Britannic* Majesty, and that of the Secretary or Registrar of 'the Court to be established in the Possessions of the Oriental Republic of the *Uruguay* by the 'Government of that Republic.

'Each of the Governments shall defray Half of the aggregate Amount of the incidental Expences 'of such Courts.

'ARTICLE II.—The Expences incurred by the Officer charged with the Reception, Maintenance, 'and Care of the detained Vessel, Slaves, and Cargo, and with the Execution of the Sentence, and all 'Disbursements occasioned by bringing a Vessel to Adjudication, shall, in case of Condemnation, be 'defrayed from the Funds arising from the Sale of the Materials of the Vessel after the same shall 'have been broken up, of the Ship's Stores, and of such Parts of the Cargo as shall consist of 'Merchandize; and in case the Proceeds arising from this Sale should not prove sufficient to defray 'such Expences, the Deficiency shall be made good by the Government of the Country within whose 'Territories the Adjudication shall have taken place.

'If the detained Vessel shall be released, the Expences occasioned by bringing her to Adjudication 'shall be defrayed by the Captor, excepting in the Cases specified and otherwise provided for under 'Article X. of the Treaty to which these Regulations form an Annex, and under Article VII. of these 'Regulations.

'ARTICLE III.—The Mixed Courts of Justice are to decide upon the Legality of the Detention of 'such Vessels as the Cruisers of either Nation shall, in pursuance of the said Treaty, detain. These 'Courts shall judge definitively, and without Appeal, all Questions which shall arise out of the Capture 'and Detention of such Vessels.

'The

'The Proceedings of these Courts shall take place as summarily as possible, and for this Purpose 'the Courts are required to decide each Case, as far as may be practicable, within the Space of 'Twenty Days, to be dated from the Day on which the detained Vessel shall have been brought into 'the Port where the deciding Court shall reside.

'The final Sentence shall not in any Case be delayed beyond the Period of Two Months, whether 'on account of the Absence of Witnesses, or for any other Cause, except upon the Application of any 'of the Parties interested, in which Case, upon such Party or Parties giving satisfactory Security that 'they will take upon themselves the Expence and Risk of the Delay, the Courts may, at their 'Discretion, grant an additional Delay, not exceeding Four Months.

'Either Party shall be allowed to employ such Counsel as he may think fit, to assist him in the 'Conduct of his Cause.

'All the essential Parts of the Proceedings of the said Courts shall be written down in the Language 'of the Country in which they shall respectively reside.

'ARTICLE IV.—The Form of the Process shall be as follows:—

'The Judges appointed by the Two Nations respectively shall, in the first place, proceed to 'examine the Papers of the detained Vessel, and to take the Depositions of the Master and Com- 'mander, and Two or Three at least of the principal Individuals on board of such Vessel, as well as 'the Declaration on Oath of the Captor, should it appear necessary, in order to enable them to judge 'and to pronounce whether the said Vessel has been justly detained or not, according to the Stipu- 'lations of the aforesaid Treaty, and in order that, according to this Judgment, the Vessel may be 'condemned or released.

'In the event of the Two Judges not agreeing as to the Sentence which they ought to pronounce 'in any Case brought before them, whether with respect to the Legality of the Detention, the Liability 'of the Vessel to Condemnation, or the Indemnification to be allowed, or as to any other Question 'which may arise out of the said Capture, or in case any Difference of Opinion should arise between 'them as to the Mode of proceeding in the said Court, they shall draw by Lot the Name of one of 'the Two Arbitrators so appointed as aforesaid; which Arbitrator, after having considered the 'Proceedings which have taken place, shall consult with the Two above-mentioned Judges on the 'Case, and the final Sentence or Decision shall be pronounced conformably to the Opinion of the 'Majority of the Three.

'ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Court, the Vessel 'and the Cargo, in the State in which they shall then be found, shall forthwith be given up to the 'Master or to the Person who represents him; and such Master or other Person may before the 'same Court claim a Valuation of the Damages which he may have a Right to demand. The Captor 'himself, and in his Default his Government, shall remain responsible for the Damages to which 'the Master of such Vessel, or the Owners of the Vessel or of her Cargo, may be pronounced to be 'entitled.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the 'Date of the Sentence, the Costs and Damages which may be awarded by the above-named Court, it 'being mutually understood and agreed that such Costs and Damages shall be made good by the 'Government of the Country of which the Captor shall be a Subject.

'ARTICLE VI.—If the detained Vessel shall be condemned she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, with the Exception of the Slaves who 'shall have been brought on board for the Purposes of Commerce; and the said Vessel, subject to the 'Regulations in Article IX. of the Treaty of this Date, shall, as well as her Cargo, be sold by public 'Sale for the Profit of the Two Governments, subject to the Payment of the Expences herein-before 'mentioned.

'The Slaves shall receive from the Court a Certificate of Emancipation, and shall be delivered over 'to the Government in whose Territory the Court which shall have judged them shall be established, 'to be dealt with according to the Regulations and Conditions contained in the Annex to this Treaty '*sub literâ* (C.)

'The Charges incurred for the Support and for the Return Voyage of the Commanders and Crews 'of condemned Vessels shall be defrayed by the Government of which such Commanders and 'Crews are the Subjects.

'ARTICLE VII.—The Mixed Courts of Justice shall also take cognizance of, and shall decide 'definitively, and without Appeal, all Claims for Compensation on account of Losses occasioned to 'Vessels and Cargoes which shall have been detained under the Provisions of this Treaty, but which 'shall not have been condemned as legal Prize by the said Courts; and in all Cases (save as men- 'tioned in Article X. of the Treaty to which these Regulations form an Annex, and in a subsequent 'Part of these Regulations,) wherein Restitution of such Vessels and Cargoes shall be decreed, the 'Court shall award to the Claimant or Claimants, or to his or their lawful Attorney or Attornies, for 'his or their Use, a just and complete Indemnification for all Costs of Suit, and for all Losses and 'Damages which the Owner or Owners may have actually sustained by such Capture and Detention; '(that is to say,)

'First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(a) For the Ship, her Tackle, Equipment, and Stores.

'(b) For all Freights due and payable.

'(c) For

'(c) For the Value of the Cargo or Merchandize, if any, deducting all Charges and 'Expences payable upon the Sale of such Cargo, including Commission of Sale.

'(d) For all other regular Charges in such Case of total Loss.

'Secondly.—In all other Cases, save as herein-after mentioned, not of total Loss, the Claimant 'or Claimants shall be indemnified,—

'(a) For all special Damages and Expences occasioned to the Ship by the Detention; and 'for Loss of Freight when due or payable.

'(b) For Demurrage when due, according to the Schedule annexed to the present Article.

'(c) For any Deterioration of the Cargo.

'(d) For all Premium of Insurance on additional Risks.

'The Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum per Annum* 'on the Sum awarded, until such Sum is paid by the Government to which the capturing Ship belongs. 'The whole Amount of such Indemnifications shall be calculated in the Money of the Country to 'which the detained Vessel belongs, and shall be liquidated at the Exchange current at the Time of 'the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the 'Satisfaction of the Judges of the Two Nations, and without having recourse to the Decision of an 'Arbitrator, that the Captor has been let into Error by the Fault of the Master or Commander of the 'detained Vessel, the detained Vessel in that Case shall not have the Right of receiving for the 'Time of her Detention the Demurrage stipulated by the present Article, nor any other Compensation 'for Losses, Damages, or Expences consequent upon such Detention.

'SCHEDULE of Demurrage or daily Allowance for a Vessel of

'100	Tons to	120	inclusive	-	-	£ 5	*per Diem.*
'121	„	150	„	-	-	6	„
'151	„	170	„	-	-	8	„
'171	„	200	„	-	-	10	„
'201	„	220	„	-	-	11	„
'221	„	250	„	-	-	12	„
'251	„	270	„	-	-	14	„
'271	„	300	„	-	-	15	„

'And so on in proportion.

'ARTICLE VIII.—Neither the Judges, nor the Arbitrators, nor the Secretaries of the Mixed 'Courts of Justice, shall demand or receive from any of the Parties concerned in the Cases which shall 'be brought before such Courts any Emolument or Gift, under any Pretext whatsoever, for the 'Performance of the Duties which such Judges, Arbitrators, and Secretaries have to perform.

'ARTICLE IX.—The Two High Contracting Parties have agreed that in the event of the Death, 'Sickness, Absence on Leave, or any other legal Impediment of One or more of the Judges or Arbi- 'trators composing the above-mentioned Courts respectively, the Post of such Judge and of such 'Arbitrator shall be supplied *ad interim* in the following Manner:

'First,—On the Part of Her *Britannic* Majesty, and in that Court which shall sit within the 'Possessions of Her said Majesty, if the Vacancy be that of the *British* Judge, his Place shall be 'filled by the *British* Arbitrator; and either in that Case, or in the Case where the Vacancy be 'originally that of the *British* Arbitrator, the Place of such Arbitrator shall be filled successively 'by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate 'of the same, and by the Secretary of the Government; and the said Court so constituted as above 'shall sit, and in all Cases brought before them for Adjudication shall proceed to adjudge the same, 'and to pass Sentence accordingly.

'Secondly,—On the Part of *Great Britain*, and in that Court which shall sit within the Posses- 'sions of the Oriental Republic of the *Uruguay*, if the Vacancy be that of the *British* Judge, his 'Place shall be filled by the *British* Arbitrator; and either in that Case, or in the Case where the 'Vacancy be originally that of the *British* Arbitrator, his Place shall be filled successively by the '*British* Consul and *British* Vice Consul, if there be a *British* Consul or *British* Vice Consul 'appointed to and resident in such Possession; and in the Case where the Vacancy be both of the '*British* Judge and of the *British* Arbitrator, then the Vacancy of the *British* Judge shall be filled 'by the *British* Consul, and that of the *British* Arbitrator by the *British* Vice Consul, if there be 'a *British* Consul and *British* Vice Consul appointed to and resident in such Possession; and if 'there shall be no *British* Consul or *British* Vice Consul to fill the Place of *British* Arbitrator, 'then the *Monte-Videan* Arbitrator shall be called in, in those Cases in which a *British* Arbi- 'trator, were there any, would be called in; and in case the Vacancy be both of the *British* Judge 'and *British* Arbitrator, and there be neither *British* Consul nor *British* Vice Consul to fill *ad* 'interim the Vacancies, then the *Monte-Videan* Judge and *Monte-Videan* Arbitrator shall sit, and 'in all Cases brought before them for Adjudication shall proceed to adjudge the same, and pass 'sentence accordingly.

'Thirdly,—On the Part of the Oriental Republic of the *Uruguay*, and in that Court which shall 'sit within the Territories of the said Republic, if the Vacancy be that of the *Monte-Videan* 'Judge, his Place shall be filled by the *Monte-Videan* Arbitrator; and either in that Case, or in 'the Case where the Vacancy be originally that of the *Monte-Videan* Arbitrator, the Place of

'such

'such Arbitrator shall be filled successively by the Governor or Lieutenant Governor resident in 'such Possession, by the principal Magistrate of the same, and by the Secretary of the Govern- 'ment; and the said Court so constituted as above shall sit, and in all Cases brought before them 'for Adjudication shall proceed to adjudge the same, and pass Sentence accordingly.

'Fourthly,—On the Part of the Oriental Republic of the *Uruguay*, and in that Court which 'shall sit within the Possessions of Her *Britannic* Majesty, if the Vacancy be that of the *Monte-* 'Videan Judge, his Place shall be filled by the *Monte-Videan* Arbitrator; and either in that Case, 'or in the Case where the Vacancy be originally that of the *Monte-Videan* Arbitrator, his Place 'shall be filled successively by the *Monte-Videan* Consul and *Monte-Videan* Vice Consul, if there 'be a *Monte-Videan* Consul or *Monte-Videan* Vice Consul appointed to and resident in such 'Possession; and in the Case where the Vacancy be both of the *Monte-Videan* Judge and of the 'Monte-Videan Arbitrator, then the Vacancy of the Judge shall be filled by the *Monte-Videan* 'Consul, and that of the *Monte-Videan* Arbitrator by the *Monte-Videan* Vice Consul, if there be 'a *Monte-Videan* Consul and a *Monte-Videan* Vice Consul appointed to and resident in such 'Possession; and in the Case in which there be no *Monte-Videan* Consul or *Monte-Videan* Vice 'Consul to fill the Place of *Monte-Videan* Arbitrator, then the *British* Arbitrator shall be called 'in in those Cases in which a *Monte-Videan* Arbitrator, were there any, would be called in; and 'in Case the Vacancy be both of the *Monte-Videan* Judge and *Monte-Videan* Arbitrator, and 'there be neither *Monte-Videan* Consul nor *Monte-Videan* Vice Consul to fill *ad interim* the 'Vacancies, then the *British* Judge and *British* Arbitrator shall sit, and in all Cases brought 'before them for Adjudication shall proceed to adjudge the same, and to pass Sentence 'accordingly.

'The Governor or Lieutenant Governor of the Settlement wherein either of the Mixed Courts 'of Justice shall sit, in the event of a Vacancy arising either of the Judge or the Arbitrator of the 'other High Contracting Party, shall forthwith give Notice of the same to the Governor or 'Lieutenant Governor of the nearest Settlement of such other High Contracting Party, in order 'that such Vacancy may be supplied at the earliest possible Period; and each of the High Con- 'tracting Parties agrees to supply definitively, as soon as possible, the Vacancies which may arise 'in the above-mentioned Courts from Death, or from any other Cause whatever.

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIII. of the Treaty 'signed by them on this Day, the Thirteenth of *July* One thousand eight hundred and thirty-nine, 'that the preceding Regulations, consisting of Nine Articles, shall be annexed to the said Treaty, 'and considered as an integral Part thereof.

'Done at *Monte Video*, the Thirteenth Day of *July* One thousand eight hundred and thirty- 'nine.

'(L.S.) *J. H. Mandeville.*
'(L.S.) *Jose Ellauri.*

'ANNEX (C.)

'*Regulations in respect to Treatment of liberated Negroes.*

'ARTICLE I.—The Object and Purpose of these Regulations is, to secure to Negroes liberated 'under the Stipulations of the Treaty to which these Regulations form an Annex, *sub literâ* (C.), 'permanent good Treatment, and a full and complete Emancipation, according to the humane 'Intentions of the Parties to the Treaty.

'ARTICLE II.—Immediately after Sentence of Condemnation upon a Vessel charged with being 'concerned in illegal Slave Trade shall have been passed by the Mixed Court of Justice established 'under the Treaty to which these Regulations form an Annex, all Negroes who were on board of 'such Vessel, and who were brought on board for the Purpose of Traffic, shall be delivered over to 'the Government of the Place where such Court resides.

'ARTICLE III.—The Negroes so liberated, and delivered over to the Government, shall be placed 'under the Care and Superintendence of a Board consisting of Two Members or Commissioners, 'with a Power to call in a Third Member, under the Circumstances herein-after stated.

'In that Colony or Possession of Her *Britannic* Majesty in which, under the Treaty to which 'these Regulations form an Annex, a Mixed Court of Justice is to sit, the Board of Superintendence 'of the liberated Negroes shall consist of the Governor of the said Colony or Possession, and of the 'Monte-Videan Judge in the said Mixed Court of Justice; and when the *Monte-Videan* Judge is 'absent, then the *Monte-Videan* Arbitrator of the said Mixed Court of Justice shall sit in the Place 'of the Judge in the Board of Superintendence of liberated Negroes.

'In that Colony or Possession of the Oriental Republic of the *Uruguay* in which under the present 'Treaty a Mixed Court of Justice is to sit, the Board of Superintendence of the liberated Negroes 'shall consist of the Governor of that Colony or Possession and of the *British* Judge in the said 'Mixed Courts of Justice; and when the *British* Judge is absent, then the *British* Arbitrator of the 'said Mixed Court of Justice shall sit in the Place of the Judge in the Board of Superintendence of 'liberated Negroes.

'The several Members of the Board of Superintendence shall, before entering upon their Offices 'respectively, take an Oath, in the Presence of the principal Magistrate of the Place, that they will

'faithfully

'faithfully execute their Office, without Favour or Partiality, according to the true Intent and 'Meaning of these Regulations.

'ARTICLE IV.—In order the better to carry into effect the Purposes intended by the present 'Regulations, a Person of known Probity and Humanity shall be selected and appointed by the 'Board of Superintendence to act under its Directions, with the Title of Curator of liberated Negroes, 'and such Curator may, under the Sanction of the Board, employ such Persons as may be necessary 'to assist him in the Execution of his Duties.

'The Curator so appointed shall, previously to his entering on the Duties of his Office, take before 'the Board of Superintendence an Oath in the following Words:

'"I *A.B.* do solemnly swear, That I will act to the best of my Skill and Knowledge faithfully 'and impartially in the Execution of my Office, and that I will conduct myself with due 'Respect to the Authority of the Board of Superintendence of liberated Negroes to which I am 'attached. So help me GOD."'

'ARTICLE V.—The Curator of the liberated Negroes shall be personally present at the Delivery of 'the Negroes to the Person charged by the Government to receive them after the Sentence of Eman- 'cipation is passed, as specified in Article II. of these Regulations.

'Duplicate original Receipts for the Negroes delivered over to the Government, specifying the 'Number of each Sex, shall, at the Time when they are delivered as aforesaid, be made out and 'signed by the Officer receiving them.

'One Original of such Receipts shall be given to the Person previously in charge of the Negroes, 'the other to the Curator, who shall deposit the same in the Registry of the Mixed Court of Justice 'which adjudicated the Case of the Vessel in which the Negroes were captured.

'At the Time of Delivery of such Negroes to the Government in the Manner herein-before men- 'tioned they shall be minutely inspected by the Curator, who shall give to each Negro a Name, 'which Name shall then be entered by the Curator in a Book to be called "Register of Emancipated 'Negroes," and to be kept for that Purpose in the Office of the Board of Superintendence, and 'opposite to the Name shall be entered a Description of the Person, with the probable Age and 'bodily Marks, and any Particulars which can be ascertained regarding the Nation and Family of 'such Negro.

'Each Negro shall then be marked on the upper Part of the Right Arm with a small Silver Instru- 'ment bearing for its Device a Symbol of Freedom.

'ARTICLE VI.—The Board of Superintendence shall then make known by public Advertisement 'its Intention to apprentice out the liberated Negroes; and after Seven Days have elapsed from the 'Announcement of such Intention, the hiring or apprenticing of the Negroes shall then take place, 'either by public Auction or by Tender, as may be thought best; and the Negroes shall then be 'distributed to their Hirers, upon the Conditions and Stipulations herein-after mentioned, which 'Conditions and Stipulations shall be published at the Time of Auction or Tender, and shall also be 'embodied in a Contract or Indenture to be entered into formally between the Hirer and the afore- 'said Board. The Contract or Indenture shall be made out in Duplicate; it shall be in Print, and 'not in Writing; one Copy of it shall remain with the Hirer, and the other with the Board, under 'the Care of the Curator.

'When the Sums offered by Two or more different Persons for the hiring of a Negro are equal, 'Preference shall be given to the Person who will undertake to employ such Negro as a Mechanic or 'Domestic Servant.

'ARTICLE VII.—The Period of Service for which Apprentices shall be bound shall be Seven 'Years for all Negroes who at the Time of hiring are above Thirteen Years of Age; but Three of 'the Seven Years may be afterwards remitted, at the Discretion of the Board, upon the Recom- 'mendation of the Master, and upon Proof that the Apprentice is capable of earning an honest 'Livelihood, and is worthy of such Indulgence.

'The Apprenticeship of Negroes who at the Time of hiring are under Thirteen Years of Age 'shall continue until the Age of Twenty, subject to a Diminution of that Term at the Discretion of 'the Board, upon due Proof being given that the Apprentice is worthy of such Indulgence, and is 'capable of maintaining himself.

'If, after the Expiration of any Apprenticeship, it shall appear to the said Board, upon their 'personal Inspection and Examination of the Apprentice, that he is not yet in a State to earn his 'Livelihood, or to make a proper Use of complete Freedom with regard to himself and to the Com- 'munity, the Board may extend the Period of Apprenticeship for the further Term of Three 'Years. In such Case a new Master shall be selected, unless it shall appear to the Satisfaction 'of the Board that the backward State of the Apprentice is not attributable to the Neglect of the 'original Master.

'ARTICLE VIII.—When more Apprentices than One are confided to the same Master, Care shall 'be taken to select for that Purpose such as are of the same *African* Nation, and, if possible, of the 'same Family; and in no Case shall a Child under Fourteen Years of Age be separated from its 'Mother, but such Child shall always be apprenticed to the same Master with its Mother.

'ARTICLE IX.—The Name and Address of the Master, together with the Name and Position of the 'Estate or House where the liberated Negro is to be resident, shall be inserted opposite to the Name 'of the Negro in his Contract or Indenture.

'ARTICLE X.—No Negro shall be apprenticed to any Master who resides more than Twenty 'English Miles from the Town where such Mixed Court of Justice is established; and if any Master 'to whom such Negro shall have been so apprenticed shall afterwards change his Residence, he shall 'be required to give immediate Notice thereof to the Curator.

'The Apprentices must always reside at that particular Estate or House of the Master which is 'registered as being within the above-mentioned Distance from the Place of sitting of the Mixed Court 'of Justice.

'ARTICLE XI.—No Person shall be intrusted with One or more liberated Negroes unless he shall 'prove to the Board that he possesses ample Means for the Employment, Maintenance, and 'Support of such Negro or Negroes, and shall make himself answerable, under the Penalty of 'Eighty Dollars for each Negro, that the Conditions under which such Negro is received shall be 'duly observed.

'ARTICLE XII.—The Master shall engage to pay a stipulated Sum for the Hire of each Apprentice.

'The Curator may, if the Amount is to be paid down in One Sum, demand it previously to 'the Hire; if the Sum is to be periodically paid, the Curator may demand the same quarterly in 'advance.

'ARTICLE XIII.—The Master shall undertake,—

'First,—That the Apprentice shall be maintained with wholesome and abundant Food, and shall 'be provided with such Clothes as are usual according to the Custom of the Country.

'Secondly,—That he shall be instructed in the Truths of the Christian Religion, in order that he 'may be baptized before the Expiration of the Second Year of his Apprenticeship.

'Thirdly,—That he shall be vaccinated as soon as possible after being delivered into the Charge 'of the Master; that in Sickness he shall have proper medical Advice, and shall be treated with 'due Care and Attention; and that in case of Death he shall be decently buried at the Master's 'Expence.

'Fourthly,—That the Apprentice shall be taught some useful Business, or be instructed in some 'Trade or mechanical Art, whereby he may be enabled to maintain himself when the Period of his 'Service shall have expired.

'Fifthly,—That whenever an Infant is born of any Female Apprentice, immediate Information 'thereof shall be given by the Master to the Board of Superintendence, in order that the Fact may 'be duly registered.

'Sixthly,—That Baptism of the Infant so born shall take place within Three Months after its 'Birth, and that the Freedom of the Child shall be recorded in the Register of Baptism; but that 'such Child shall remain with its Mother, and shall be treated by the Master of the Mother 'in the same Manner as an Apprentice until the Apprenticeship of the Mother ceases.

'ARTICLE XIV.—No Master shall in any Case be authorized to transfer to another Master his 'apprenticed Negro without the especial and written Sanction of the Board; and if the Master shall 'leave the Country, or shall change his Residence to a Part of the Country beyond the Limits herein- 'before fixed for Persons having Apprentices, or if he shall become so reduced in his Circumstances 'as to be obliged to give up his Establishment, then and in any of these Cases he shall report the 'same to the Board, and shall bring his Apprentices, and deliver them up to the said Board, by whom 'they shall be received, and afterwards apprenticed to another Master for the Remainder of the 'Period which such Apprentices may have to serve, and under the same Conditions as those 'imposed upon the first Master; but in no Case shall the Master be allowed to deliver up his 'Apprentice to any other Authority than to the said Board, or to the Curator, under the Orders of 'the Board.

'If any Apprentice shall be guilty of Crimes which render him obnoxious to the Laws of the 'Country, or shall be guilty of habitual Drunkenness, Insubordination, wilful Carelessness, or 'Destruction of his Master's Property, the Master may in such Case bring him before the Board of 'Superintendence, and upon Proof of the Facts the said Board shall have Power to cancel the 'Indentures.

'ARTICLE XV.—If an Apprentice should run away, his Master shall give immediate Information 'thereof to the Curator, who shall instantly proceed to a summary Investigation of the Fact, for the 'Information of the Board of Superintendence.

'Any Master who shall be proved to have improperly disposed of an Apprentice whom he has 'reported as dead or absconded shall pay as a Fine the Sum of Three hundred Dollars.

'The Half of this Fine shall be paid to the Informer, and the Remainder to the Curator, to be 'placed at the Disposal of the Board for the Purposes herein-after mentioned.

'ARTICLE XVI.—If an Apprentice should fall sick, the Master shall give immediate Notice 'thereof to the Curator, in order that he, or One of his Assistants, may visit such Apprentice, 'and report to the Board the Nature of his Disorder, and the Manner in which such sick Negro 'is taken care of.

'If an Apprentice should die, Notice thereof shall immediately be given to the Curator, in 'order that he, or One of his Assistants, may attend, for the Purpose of ascertaining that the 'deceased Negro was really and truly the Apprentice described as such in the Register.

'For this Purpose the Curator or his Assistant shall make such Inquiries as he may judge 'necessary, interrogating the Inhabitants of the House in which the Negro has died, the Neighbours 'or any other Persons, and shall take such other Means as he may judge necessary to enable him to 'ascertain the Truth, in order that the Burial of the Negro, which is to be at the Expence of the 'Master, may take place without further Delay.

'A summary Report of the Result of this Inquiry shall then be drawn up officially by the Curator, 'and be delivered without Delay to the Board.

'The Curator, after having identified the Body of any Apprentice who may have died, shall inves- 'tigate the Cause of the Death, and if the Death shall appear to have been natural he shall note 'that Fact in the Register.

'If the Cause of Death be doubtful, or shall appear to be otherwise than natural, he shall 'interrogate the other Negroes and other Inhabitants of the House, and take such other Means 'as may appear necessary to ascertain the Facts of the Case; and if there shall appear Reason to 'suspect that the Death of such Negro has been occasioned by Violence, improper Usage, or culpable 'Neglect, he shall take the proper Course for bringing the Offender to Trial before the Courts of the 'Country.

'ARTICLE XVII.—If the Master of any Apprentice shall commit any Breach of these Conditions, 'a Fine shall be imposed upon him of not less than Fifty and not exceeding One hundred Dollars, 'one Half of which shall go to the Informer, and the other Half shall be placed at the Disposal of 'the Board of Superintendence, for the Purposes herein-after mentioned; and in case of any gross 'Misconduct of the said Master towards his Apprentice, such Master shall, if the Board of Superin- 'tendence shall think fit, besides paying the above-mentioned Fine, forfeit all further Right to the 'Services of the Apprentice, and the said Apprentice shall be taken from such Master, and shall be 'apprenticed to another Master for the Remainder of his Term of Apprenticeship.

'ARTICLE XVIII.—If the Master of an Apprentice shall die, his Heir, or the Person to whom 'the Possession of such Apprentice shall devolve, shall, within Four Days after the Death of such 'Master, report the same to the Board of Superintendence.

'The Board shall thereupon issue its Order to the Curator to bring the Apprentice before them; 'and when the Apprentice is so brought the Board shall apprentice him to another Master under the 'established Conditions.

'If the Heir, or the Person in possession of such Apprentice, shall neglect to report the Death of 'the Master within Four Days, he shall pay One Dollar a Day for each apprenticed Negro belonging 'to such deceased Master until he shall have delivered them all up to the said Board, and he shall, 'moreover, be subject to the other Penalties which attach to the Nonperformance of the Conditions 'established by these Regulations.

'ARTICLE XIX.—If any liberated Negro be apprenticed to or hired by the Government, the Con- 'tract shall contain the same Conditions and Stipulations in regard to the Negro as are herein-before 'prescribed for Cases in which the Negro is apprenticed to a private Individual.

'ARTICLE XX.—Liberated Negroes shall, at the Discretion of the Board of Superintendence, and 'where it shall be ascertained that their own free Will has previously been obtained, be permitted to 'become Soldiers and Sailors in the regular Land and Sea Forces of the State in whose Territories 'or Dominions they shall have been liberated.

'The Board shall take care in such Case to ascertain that the Negroes fully understand and are 'aware of the Nature of the Engagement which they enter into by so enlisting.

'The Government in whose Service the Negroes enlist shall sign a Receipt for them, which Receipt 'shall be delivered to the Curator at the Time of the Enlistment, and the Board shall take Means to 'ensure that the full and permanent Liberation of such Negroes shall be secured to them, under the 'Principle contemplated by these Regulations.

'ARTICLE XXI.—Those liberated Negroes who may not be apprenticed, or may not have 'enlisted in the Sea or Land Forces of the State to which the Colony or Possession in which they 'may be belongs, or whose Indentures shall have become void or have been cancelled, shall be 'provided for by the Government of such Colony or Possession. They shall be kept within Twenty 'Miles of the Place where the Mixed Court of Justice is sitting.

'The Expence of maintaining and supporting such Negroes shall be borne by the Government of 'the Colony or Possession, but they shall be under the Care and Superintendence of the Board and 'Curator; and the present Regulations shall be applicable to them in every respect, excepting as 'regards Apprenticeship.

'ARTICLE XXII.—The Curator shall endeavour by means of an Interpreter to explain to each 'Negro the Nature of any Contract by which he may become bound, and shall inform him that if 'he should at any Time be ill-treated by his Master he must make his Complaint to the Curator, or 'to the Board of Superintendence of liberated Negroes.

'ARTICLE XXIII.—It shall be the Duty of the Curator or of his Assistants to visit once at least 'in every Three Months all Places where there are any liberated Negroes under the Superintendence 'of the Board. He shall examine and inspect all such Negroes, receive their Complaints, inquire 'into them, and search out the Truth, and investigate any Abuses that may affect the said Negroes, 'and also inquire into the general Conduct of the Negroes themselves.

'The

'The Curator shall then bring to the Notice of the Board every Complaint on the Part of the said 'Negroes, and every Breach committed of the Conditions and Stipulations of the Contracts under 'which the Negroes serve; and in all Cases of well-founded Complaint the Board shall take proper 'Means for affording Redress.

'The Inspections above prescribed are not to be made at stated Periods, but at uncertain Times, 'and unexpectedly.

'The Curator shall also report every Three Months to the Board the State in which he finds the 'liberated Negroes, and such Reports shall be entered in a Book to be kept for that Purpose, to be 'called "Curator's Reports," and to be deposited in the Office of the Board, so that on reference 'thereto the Condition and Behaviour of every liberated Negro may be easily known.

'ARTICLE XXIV.—All Proceedings of the Curator, together with a Statement of all Facts which 'may from Time to Time come to his Knowledge respecting liberated Negroes, shall be immediately 'communicated by him to the Board of Superintendence, and he is not to institute any Proceedings 'nor to take any other Steps in respect of such Negroes without the Knowledge and Sanction of 'the Board.

'ARTICLE XXV.—The Curator shall receive all the Sums which are to be paid for the Hire of 'Apprentices, and all the Monies arising from Penalties incurred by Masters, and shall render an 'Account thereof to the Board of Superintendence.

'The Amount is to be applied to the Purposes herein-after mentioned.

'ARTICLE XXVI.—When the prescribed Term of Service of any Apprentice shall have expired, 'the Curator shall, under the Direction of the Board of Superintendence, summon such Apprentice, 'together with his Master, to appear before the said Board; the Master shall then give up to the 'Board the Indenture of the Negro, and the Negro shall receive from the Board a Certificate, 'specifying that such Negro has completed the Term of his Apprenticeship, and is entitled to all the 'Rights and Privileges of a free Person.

'The Curator shall see that this Certificate be authenticated and registered, according to the 'Custom of the Country.

'ARTICLE XXVII.—The Board of Superintendence shall have the Power to admonish the Curator, 'and any Officer serving under the Board, if such Curator or other Officer should fail to execute his 'Duty faithfully; and if the Board shall see necessary they may dismiss such Curator or other 'Officer, and appoint Successors.

'ARTICLE XXVIII.—The necessary Proceedings for recovering such Sums as may be due from 'Masters on account of the Hire of Apprentices, and for enforcing the Payment of the several Fines 'and Penalties herein-before imposed, shall be instituted in the proper Courts of Law of the Country 'where the Boards of Superintendence shall respectively reside, and shall be carried on at the Instance 'of the Board.

'The Expences of such Proceedings shall be defrayed as herein-after mentioned; and the High 'Contracting Parties hereby engage that within Six Months from the Exchange of the Ratifications 'of the Treaty to which these Regulations are annexed they will grant the requisite Authority and 'Powers to the Courts of Law of the Country where the Boards of Superintendence are respectively 'held to take cognizance of the Actions which for the due Execution of these Regulations may be 'brought in such Courts of Law at the Instance of the Boards, so that the Penalties herein-before 'mentioned may be recovered, and the Levy of the Monies herein-before mentioned be enforced, 'and the Payment of the Amount thereof be made to the Person appointed by these Regulations to 'receive such Penalties and Monies.

'ARTICLE XXIX.—The Money arising from the Hire of liberated Negroes, and also from the 'Penalties incurred by the Master, shall be deposited by the Curator in a Chest with Three Keys, 'One of which shall be kept by each Commissioner of the Board of Superintendence, and One by 'the Curator.

'The Curator shall so deposit the several Sums as soon as he receives them, making previously a 'regular Entry of the Receipt in a Book to be kept for that Purpose.

'This Money shall be applied in the following Manner; (that is to say,) a Portion thereof, at the 'Discretion of the Board of Superintendence, shall be paid to the Curator, and the other Officers 'employed under the said Board, for their Salaries; so much of the remaining Portion as shall be 'needful shall be applied towards defraying the Expences of prosecuting Masters for Breaches of the 'Conditions and Stipulations of their Contracts, and also generally towards defraying the other 'Expences incurred for carrying these Regulations into effect, and the remaining Balance, if any, 'shall be laid out, at the Discretion of the said Board, in the Promotion of the Comfort and Welfare 'of the liberated Negroes, either during their Term of Service, or at its Expiration, and especially in 'Rewards to liberated Negroes for good Conduct.

'The Accounts of these Monies, and of the Manner in which they have been applied, shall, at 'the Expiration of every Year, be made up in duplicate by the Curator; and after these Accounts 'have been examined and approved by the Board, One of such Duplicates shall be transmitted by 'each Commissioner to the Government on whose Part he is acting.

'If the Fund should not prove sufficient to liquidate the just and necessary Demands made for the 'Purposes required, the Deficiency shall be made good, in equal Moieties, by the Two Governments.

'ARTICLE XXX.—In the event of a Difference arising between the Two aforesaid Commissioners 'of the Board, regarding the Appointment of any Officer under them, or regarding any other Matter 'in the Execution of these Regulations, if such Difference shall occur in a *British* Colony or Pos- 'session, the Board shall call in the Person who officiates in that Colony or Possession as *Monte- 'Videan* Arbitrator to the Mixed Court of Justice under the Treaty; and if the Case shall occur in 'the *Monte-Videan* Colony or Possession, the Board of Superintendence shall call in the Person who 'officiates in that Colony or Possession as *British* Arbitrator to the Mixed Court of Justice under the 'Treaty; and the Board of Superintendence of liberated Negroes thus formed, and being composed 'of the Two Commissioners and of One Arbitrator, shall, by the Majority of Voices, decide all such 'Points of Difference.

'It shall not be permitted to the Members of the Board of Superintendence, nor to any Officer 'acting under them, to demand or receive from any one, excepting as herein specified, any Emolu- 'ment, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon 'them by the present Regulations.

'ARTICLE XXXI.—Nothing that is contained in these Regulations shall be construed to exempt 'any liberated Negro from his Liability as a free Man to be proceeded against for any Offence 'committed by him (except as herein provided for) against the Laws of the Country in which he is 'located; but in all Cases where Offence against such Laws is imputed to a Negro under the Care of 'the aforesaid Board of Superintendence, the Laws shall be administered to him as to a free Man, 'and the Curator shall, either personally or by a responsible Individual deputed by him for the 'Purpose, attend the Courts of Justice of the Country, to see that Justice is done to the Negro.

'ARTICLE XXXII.—It is further stipulated, with the View to avoid the unnecessary Multiplication 'of Words, that every thing contained in the foregoing Regulations which applies to Masters shall be 'construed as applying equally to Mistresses, and that every thing in the said Regulations with respect 'to Negroes and Apprentices which applies to the Masculine Gender and Singular Number shall be 'construed as applying equally to the Female Sex and to the Plural Number, unless such Construction 'shall be in express Opposition to any other Enactment of these Regulations.

'ARTICLE XXXIII.—These Regulations shall be inserted in the official Gazette or Journal of the 'Government of each High Contracting Party to the Treaty, and also in the official Journal or 'Gazette of the Place where the Mixed Courts of Justice are respectively held; and the Governments 'of the said Countries shall convey to the said Boards of Superintendence of liberated Negroes, to the 'Curators, and to their Assistants, under those Boards, such Authority as may be requisite to enable 'the said Boards of Superintendence, Curators, and Officers acting under them respectively to perform 'the Duties and to exercise the Powers intrusted to them by these Regulations.

'The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the 'Treaty, signed by them on this Day, the Thirteenth of *July* One thousand eight hundred and 'thirty-nine, that the preceding Regulations, consisting of Thirty-three Articles, shall be annexed 'to the said Treaty, and be considered an integral Part thereof.

'Done at *Monte Video*, the Thirteenth Day of *July* One thousand eight hundred and thirty-nine.

'(L.S.) *J. H. Mandeville.*

'(L.S.) *Jose Ellauri.*

'ARTICLES ADDITIONAL to the Treaty concluded this Thirteenth of *July* One thousand eight 'hundred and thirty-nine between Her *Britannic* Majesty and the Republic of the *Uruguay*, 'for the Suppression of the Slave Trade.

'ARTICLE I.—In consequence of the Oriental Government of the *Uruguay* not possessing at the 'present Period more Ships of War than are sufficient for the Protection of the Coasts of the 'Republic, it is agreed that the Republic of the *Uruguay* shall be relieved from the Obligation for 'Ten Years from the Date of the Exchange of the Ratifications of the present Treaty of employing 'any Cruisers for the Suppression of the Slave Trade, unless it should think fit to do so.

'ARTICLE II.—It is agreed and understood that if there should be any Delay in appointing the 'Judge and Arbitrator to be nominated on the Part of the Republic of the *Uruguay* to act in each 'of the Mixed Courts of Justice to be established under this Treaty, or if those Officers, after having 'been appointed, should at any Time be absent, then and in either of such Cases the Judge and 'Arbitrator who shall have been appointed on the Part of Her *Britannic* Majesty, and who shall 'be present in the said Courts, shall, in the Absence of the Oriental Judge and Arbitrator, proceed to 'open the said Courts, and to adjudge such Cases as may be brought before them under the Treaty; 'and the Sentence pronounced upon such Cases by the said *British* Judge and Arbitrator shall 'have the same Force and Validity as if the Judge and the Arbitrator on the Part of the Oriental 'Republic had been appointed, and had been present and acting in the Mixed Courts in the Cases 'in question.

'ARTICLE III.—It is also agreed, notwithstanding the Provisions of the Second Article of the 'Annex (B.), that so long as no Oriental Judge and Arbitrator shall have been nominated it will be 'unnecessary for the Oriental Republic to nominate the Secretary or Actuary mentioned in the said 'Article; that in the meanwhile the Secretary or Actuary of that Court which may exist within the 'Territory of the Oriental Republic shall be named and paid by the Government of Her *Britannic* 'Majesty,

'Majesty, and that the entire Expence of both the Courts to be established under this Treaty shall be 'borne by the Government of Her *Britannic* Majesty.

'ARTICLE IV.—If in the Translation of the present Treaty into the *Spanish* Language any Mistake 'or Error should be committed, the *English* Text is to be adhered to.

'The present additional Articles shall form an integral Part of the Treaty for the Suppression of 'the Slave Trade signed this Day, and shall have the same Force and Validity as if they were 'inserted Word for Word in that Treaty, and shall be ratified, and the Ratifications thereof shall be 'exchanged at *Monte Video*, as soon as possible, within the Space of Eight Months from this Date.

'Done at *Monte Video* this Thirteenth Day of *July* in the Year of our Lord One thousand eight 'hundred and thirty-nine. '(L S.) *J. H. Manderville.*

'(L.S.) *Jose Ellauri.*

'And whereas the said Treaty was ratified by and between Her Majesty and the Oriental Republic of the '*Uruguay* respectively, and such Ratifications were exchanged at *Monte Video*, on the Twenty-first Day 'of *January* in the Year of our Lord One thousand eight hundred and forty-two: And whereas it is 'expedient and necessary that effectual Provision should be made for carrying into execution the Pro-'visions of the Treaty aforesaid, and the Articles additional thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the Oriental Republic of the *Uruguay*, who shall be duly instructed and authorized according to the several Provisions of the said Treaty, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and to detain and send or carry away such Vessel, with its Master, Crew, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Courts of Justice to be established in virtue of the said Treaty and the Articles additional thereto; and all such Commanders and other Officers of Her said Majesty's Ships, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, shall comply with the several Provisions and Instructions of the said Treaty and Articles which apply thereto respectively.

Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, or of having been fitted out for the Purposes of such Traffic, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by any Ship or Vessel of War of Her Majesty or of the Oriental Republic of the *Uruguay* duly authorized for that Purpose according to the Stipulations of the said Treaty and Articles, and shall be subject to the Adjudication of and to Condemnation or other Judgment by the Judges and Arbitrators of the Mixed Courts to be appointed according to the Provisions of the said Treaty and Articles.

Ships suspected of having been fitted out for the Purposes of Traffic in Slaves liable to search.

III. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Judges and Arbitrators as are in the said Treaty and Articles mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto, and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall from Time to Time direct; and such Judges and Arbitrators shall be empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid, detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments, and make such Orders therein, and do all other things appertaining thereto, agreeably to the Provisions of the said Treaty and Articles, as fully as if special Authorities for that Purpose were given in relation thereto in this Act.

Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention.

IV. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint any Secretary or Registrar to the Mixed Court or Courts which shall be established in virtue of the said Treaty and Articles, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Courts, and to grant a Salary to any such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and any such Secretary or Registrar shall perform all the Duties of such Office set forth by the said Treaty and Articles, and do all such things as may be necessary for the due Discharge of the Duties of his said Office.

Her Majesty may appoint a Secretary or Registrar to the Mixed Court.

V. And be it enacted, That in case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Judge of either of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Judge *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Judge shall resume the Duties of his said Office; and that in case of such Vacancy of the Office of *British* Arbitrator of the Court established by virtue of the said Treaty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Court, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate

In case of the Death or Incapacity from Illness of any British Judge of such Courts, or of the British Arbitrator.

Magistrate of the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty, or until such Arbitrator shall resume the Duties of his said Office; and that in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Court established by virtue of the said Treaty within the Possessions of the Oriental Republic of the *Uruguay*, or of his assuming *ad interim* the Duties of a Judge of the said Court as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Judge and *British* Arbitrator, then that such Office of Judge shall be filled *ad interim* by the *British* Consul, and such Office of *British* Arbitrator by the *British* Vice Consul; and in case there shall be no *British* Consul or Vice Consul at such Place, then that it shall be lawful for the Arbitrator on behalf of the Oriental Republic of the *Uruguay* to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Judge and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice Consul resident at such Place, then that it shall be lawful for the Judge and Arbitrator appointed by the Oriental Republic of the *Uruguay* of such Court to sit alone in such Court, and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Judge and *British* Arbitrator shall resume the Duties of their said Offices respectively.

Judges and Arbitrators to take an Oath.

VI. And be it enacted, That every such Judge and Arbitrator so appointed by Her Majesty shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place, whether belonging to Her *Britannic* Majesty or to the Oriental Republic of the *Uruguay*, in which the Court shall be established; which Oath any such Magistrate shall have Authority to administer in the Form following; (that is to say,)

Form of Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office as faithfully, impartially, fairly, and without Preference or 'Favour, either for Claimants or Captors or any other Persons; and that I will, to the best of my Judgment 'and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions contained 'in the Treaty, and Articles additional thereto, between Her Majesty and the Oriental Republic of the '*Uruguay*, signed at *Monte Video* on the Thirteenth Day of *July* One thousand eight hundred and thirty-'nine.'

Secretary or Registrar to take Oath.

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and Articles, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before One of the Judges of the said Court, who shall have Authority to administer the same, in the Form following; (that is to say,)

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office, and that I will conduct myself with Respect to the Authority of the Judges 'and Arbitrators of the Court to which I am attached, and will act with Fidelity in all the Affairs which 'may belong to my Charge, and without Preference or Favour either for Claimants or Captors, or any 'other Persons.'

Judges and Arbitrators may administer Oaths.

VII. And be it enacted, That it shall be lawful for the said Judges or Arbitrators, or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the course of any Proceeding before the said Judges or Arbitrators under the said Treaty and Articles, and this Act; and it shall also be lawful for the said Judges and Arbitrators to summon before them all Persons whom they may deem it proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the producing all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means and Authorities as any Court of Vice Admiralty may do.

Punishing Persons giving false Evidence.

VIII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken upon or in any Proceeding before the Judges or Arbitrators aforesaid, under the said Treaty or Articles additional, or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex*.

Pendency of Suits before the Judges to be a Bar to Proceedings for Recovery of Vessels detained.

IX. And be it enacted, That the Pendency of any Suit or Proceeding instituted before the said Judges or Arbitrators for the Condemnation or Restitution of any Ship or Cargo, or Slaves, taken, seized, or detained by virtue of the said Treaty or Articles, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, and shall be a good and complete Bar in any Suit or Proceeding, whether brought or instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any thing done in pursuance of the Provisions of the said Treaty or Articles.

Captors of Vessels shall, after the same

X. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the Treaty or Articles herein-before mentioned, shall be seized by any Ship or Vessel belonging

belonging to Her Majesty, duly authorized under the Provisions of the said Treaty or Articles to make such Seizure, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaty or Articles aforesaid, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

are condemned, be entitled to the Proceeds belonging to Her Majesty.

XI. And be it enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty or Articles, a Bounty of Five Pounds of lawful Money of *Great Britain* for every Slave, whether Man, Woman, or Child, which shall be seized and found on board a *British* or *Monte-Videan* Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Treaty or Articles, and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned.

XII. And be it enacted, That the said Bounty, as also Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, on the Seizure of Slaves found on board any Ship or Vessel condemned in pursuance of the Provisions of this Act, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Bounties not liable to Payment of Fees.

XIII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy duly certified of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Mode of obtaining such Bounty.

XIV. And be it enacted, That where any Slave, or Person treated, dealt with, carried, kept, or detained as a Slave, shall be seized on board any *British* or *Monte-Videan* Ship or Vessel, in pursuance of the Provisions of the said Treaty and Articles, and of this Act, but shall not have been condemned, or shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to them in their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of a Sum not exceeding One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

XV. Provided always, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *Monte-Videan* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty or Articles, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XVI. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties now in force respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships or Vessels of War.

Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act.

XVII. And be it enacted, That when any Seizure shall be made or Prosecution instituted as or for the Violation of any of the Provisions of this Act, and Judgment shall be given against the Seizor or Prosecutor, or such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs, Damages, and Expences as the said Seizor or Prosecutor may be liable to pay in respect of such Seizure, or any proportionate Part thereof, and also such Costs and Expences as the said Seizor may have incurred in respect of such Seizure.

Where Judgment given against Seizor, or Seizure relinquished, Treasury may direct Payment of Costs and Damages.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Sums of Money awarded by the Mixed Commission Courts to be due on account of any unlawful Seizure or Detention by any of Her Majesty's authorized Cruisers: Provided always, that nothing herein contained shall exempt the Seizor from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners.

Treasury may direct Payment of Sums awarded for unlawful Seizures.

Liability of Seizors not taken away.

XIX. Provided always, and be it enacted, That if any of the Things specified in the Eighth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Mixed Courts, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Mixed Court should not pronounce any Sentence of Condemnation.

No Compensation when any Articles specified in the Eighth Article are found.

CAP.

CAP. XVII.

An Act for raising the Sum of Nine millions and fifty thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-three. [9th *May* 1843.]

CAP. XVIII.

An Act to amend the Law for the Registration of Persons entitled to vote, and to define certain Rights of voting, and to regulate certain Proceedings in the Election of Members to serve in Parliament for *England* and *Wales*. [31st *May* 1843.]

2 & 3 W. 4. c. 45.

'WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty, intituled *An Act to amend the Representation of the People in* England *and* Wales: And whereas it is expedient to explain and amend some Parts of the said Act, and to make further and other Provisions relating to the Registration of Persons entitled to vote in the Election of Members to serve in Parliament for *England* and *Wales*: And whereas it is recited in the said Act, that "it was expedient to form a Register of all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament;" and divers Clauses and Provisions were in and by the said Act enacted, for the Purpose of forming a Register of all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament for any County, or for the Riding, Parts, or Division of any County, and also for the Purpose of forming a Register of Persons entitled to vote in the Election of a Member or Members to serve in any future Parliament for any City or Borough, and for the defraying of the Expences to be incurred thereby, and for the Appointment and Payment of Revising Barristers:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Clauses and Provisions of the said Act so enacted for the Purpose of forming a Register of all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament for any County, or for the Riding, Parts, or Division of any County, and for the Purpose of forming a Register of all Persons entitled to vote in the Election of a Member or Members to serve in Parliament for any City or Borough in *England* and *Wales*, and for the defraying of the Expences to be incurred thereby, and for the Appointment and Payment of Revising Barristers, shall be and the same are hereby repealed, except as to any Register heretofore made.

Counties.

Certain Provisions of recited Act repealed.

Commencement of Act.

II. And be it enacted, That this Act shall come into force on the First Day of *June* next, and shall thenceforth be taken to be Part of the said Act as fully as if it were incorporated therewith.

Clerk of the Peace to have Forms of Precepts, &c. printed.

III. 'And whereas, for the Purpose of forming a Register of all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament, it is expedient that Lists should annually be made out in manner herein-after mentioned;' be it therefore enacted, That the Clerk of the Peace for every County shall cause a sufficient Number of Forms of Precepts, Notices, and Lists to be printed, according to the respective Forms numbered (1. 2. 3. 6.) in the Schedule (A.) and of the Table numbered (1.) in the Schedule (D.) to this Act annexed, and shall also, on or before the Tenth Day of *June* in every Year, make and cause to be delivered to the Overseers of the Poor of every Parish and Township within his County his Precept, according to the Form numbered (1.) in the said Schedule (A.), together with a sufficient Number of the said printed Forms of Notices and Lists, and of the Copies of such Part of the Register of Voters then in force for such County as shall relate to such Parish or Township respectively, and of the said Table, for the Purposes herein-after mentioned.

Clerk of the Peace to issue his Precepts, with Forms of Notices, &c. to Overseers.

Overseers to give Notice annually, requiring Voters to send in their Claims.

IV. And be it enacted, That the Overseers of the Poor of every Parish and Township shall, on or before the Twentieth Day of *June* in every Year, publish a Notice, according to the Form numbered (2.) in the said Schedule (A.), having first signed the same, requiring all Persons entitled to vote in the Election of a Knight or Knights of the Shire to serve in Parliament in respect of any Property situate wholly or in part within such Parish or Township who shall not be upon the Register of Voters then in force, and also all Persons so entitled as aforesaid, who being upon such Register shall not retain the same Qualification or continue in the same Place of Abode as described in such Register, and who are desirous to have their Names inserted in the Register about to be made, to give or send to the said Overseers, on or before the Twentieth Day of *July* then next ensuing, a Notice in Writing, by them signed, of their Claim to vote as aforesaid; and every such Person, and any Person who being upon such Register may be desirous to make a new Claim, shall, on or before the said Twentieth Day of *July*, deliver or send to the said Overseers a Notice signed by him of his Claim, according to the Form of Notice set forth in that Behalf in the said Form numbered (2.), or to the like Effect.

Overseers to prepare Lists of Claimants.

V. And be it enacted, That the Overseers of the Poor of every Parish and Township respectively shall on or before the last Day of *July* in every Year make out, according to the Form numbered (3.) in the said Schedule (A.), an alphabetical List of all Persons who on or before the Twentieth Day of *July* then next preceding shall have claimed as aforesaid; and in every such List the Christian Name and Surname of every Claimant, with the Place of his Abode, the Nature of his Qualification, and the local or other Description of the Property, and the Name of the occupying Tenant thereof, shall be written as the same are stated in the Claim; and the said Overseers, if they shall have reasonable Cause to believe that any Person whose Name shall appear in such List of Claimants, or in the Copy of the Register relating to their Parish or Township, and received by them from the Clerk of the Peace, is not entitled to have his Name upon the Register then next to be made, shall add the Word "objected" before the Name of every such

Overseers empowered to object to any Name;

Counties.

such Person on the Margin of such List of Claimants or the said Copy of Register; and the said Overseers shall also add the Word "dead" before the Name of any Person in the said Copy of the Register whom they shall have reasonable Cause to believe to be dead; and the Overseers shall cause a sufficient Number of Copies of such List of Claimants, and of the said Copy of the Register, with all such marginal Additions as aforesaid, to be written or printed, and shall on or before the First Day of *August* sign and publish the same; and the said Overseers shall likewise keep a Copy of such List of Claimants, and of the said Copy of the Register, with the marginal Additions respectively as aforesaid, signed by them, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day except *Sunday*, during the first Fourteen Days after the same shall have been published, and shall deliver written or printed Copies thereof, signed by them, to all Persons applying for the same, on Payment of a Price for each Copy, after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

to add the Word "dead" against any Name; to publish Copies of List of Claimants, &c., and to keep Copies of same for Inspection and Sale.

VI. And be it enacted, That the List of Claimants (if any) so to be made out by the Overseers of every Parish or Township, together with the said Copy of the Register, with the marginal Additions respectively as aforesaid, for the Time being, relating to the said Parish or Township, shall be deemed to be the List of Voters of such Parish or Township for the County within which such Parish or Township may be situate, for the Purposes herein-after mentioned.

List of Claimants and Part of Register relating to any Parish to be the List of Voters.

VII. And be it enacted, That in every Year every Person who shall be upon the Register for the Time being for any County may object to any other Person upon any List of Voters for such County, as not having been entitled, on the last Day of *July* then next preceding, to have his Name inserted in any List of Voters for such County; and every Person so objecting (save and except Overseers objecting in the Manner herein-before mentioned) shall, on or before the Twenty-fifth Day of *August* in such Year, give or cause to be given to the Overseers of the Poor of the Parish or Township to which the List of Voters containing the Name of the Person so objected to may relate, a Notice, according to the Form numbered (4.) in the said Schedule (A.), or to the like Effect; and the Person so objecting shall also, on or before the said Twenty-fifth Day of *August*, give or cause to be given to the Person so objected to, or leave or cause to be left at his Place of Abode, as described in such List, a Notice, according to the Form numbered (5.) in the said Schedule (A.), or to the like Effect; and every such Notice of Objection shall be signed by the Party so objecting as aforesaid; and wherever the Place of Abode of the Person objected to, as described in the said List, shall not be in the Parish or Township to which such List may relate, and the Name of the occupying Tenant of the Whole or any Part of the qualifying Property, together with his Place of Abode, shall appear in such List, the Person so objecting shall also, on or before the same Day, give to or leave, or cause to be given or left, at the Place of Abode of any such occupying Tenant, a Duplicate Notice, signed as aforesaid.

Any Person on the Register may object to any other Person named in the List as not entitled to be upon it; and Notice of Objection to be given to the Overseers, and also to the Party objected to.

VIII. And be it enacted, That the said Overseers shall in every Year include the Names of all Persons against whom Notice of Objection shall have been given to them as aforesaid in that Year in a List, according to the Form numbered (6.) in the said Schedule (A.), and shall publish such List on or before the First Day of *September* in such Year, and shall also keep a Copy of such List, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day except *Sunday* during the First Fourteen Days of the said Month of *September*, and shall deliver a Copy of such List to any Person requiring the same on Payment of a Price for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

List of Persons objected to to be published.

IX. And be it enacted, That on or before the Twenty-ninth Day of *August* in every Year the Overseers of every Parish or Township shall deliver to the Clerk of the Peace of the County wherein the said Parish or Township is situate the said Copy of the Register, and the said List of Claimants, with the marginal Additions respectively as aforesaid, and also a Copy of the List of Persons objected to, respectively signed as aforesaid, and relating to their Parish or Township.

Lists, &c. to be delivered to the Clerk of the Peace.

Cities and Boroughs.

X. And for the Purpose of preparing like Lists, and forming a Register of all Persons entitled to vote in the Election of a Member or Members to serve in Parliament for any City or Borough, be it enacted, That the Town Clerk of every such City or Borough shall cause a sufficient Number of Forms of Precepts, Notices, and Lists to be printed according to the Forms numbered (1. 2. 3. 4. 8. 12.) in the Schedule (B.) and of the Table numbered (1.) in the Schedule (D.) to this Act annexed, and shall on or before the Tenth Day of *June* in every Year make, and cause to be delivered to the Overseers of the Poor of every Parish or Township situate wholly or in part within such City or Borough, or within any Place sharing in the Election for such City or Borough, his Precept according to the Form numbered (1.) in the said Schedule (B.), and also a sufficient Number of the said printed Forms of Notices and Lists, and of the said Table.

Town Clerk to have Forms of Precepts, &c. printed.

To issue his Precept to the Overseers.

XI. And be it enacted, That the Overseers of every such Parish or Township shall, on or before the Twentieth Day of *June* in every Year, publish a Notice in Writing according to Form numbered (2.) in the said Schedule (B.), stating that no Person will be entitled to have his Name inserted in any List of Voters for the City or Borough then next to be made in respect to the Occupation of Premises of the clear yearly Value of not less than Ten Pounds, situate wholly or in part within such Parish or Township, unless he shall pay, on or before the Twentieth Day of *July* then next ensuing, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such Premises during the Twelve Calendar Months next before the Sixth Day of *April* then last past.

Overseers to give public Notice as to the Payment of Rates and Taxes by Occupiers of Premises of the yearly Value of 10*l.*

Cities and Boroughs.

Overseers to have Power of inspecting Tax Assessments, &c.

Assessors or Collectors of Taxes to deliver to Overseers a List of Persons in arrear of Taxes payable at April last past.

XII. And be it enacted, That the Overseers of every Parish or Township, for their Assistance in making out the List of Voters as herein-after mentioned, (upon Request made by them, or any of them, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the Month of *July* in every Year, to any Assessor or Collector of Taxes, or to any other Officer having the Custody of any Tax Assessment or Duplicate for such Parish or Township,) shall have free Liberty to inspect any such Tax Assessment or Duplicate, and to extract such Particulars as may appear to such Overseer or Overseers to be necessary; and every such Assessor or Collector of Taxes shall, within Two Days after the Twentieth Day of *July* in every Year, make out and deliver to the said Overseers a List containing the Name and Place of Abode of every Person who shall not have paid on or before the said Twentieth Day of *July* the Assessed Taxes which shall have become payable from him in respect of any Premises within the said Parish or Township during the Twelve Calendar Months next before the Sixth Day of *April* then last past; and the Overseers shall keep the said List, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the first Fourteen Days after the List of Voters shall have been published, as herein-after mentioned.

Overseers to prepare and publish Lists of Persons (other than Freemen) entitled to vote.

XIII. And be it enacted, That the Overseers of every such Parish or Township shall, on or before the last Day of *July* in every Year, make out or cause to be made out, according to the Form numbered (3.) in the Schedule (B.) to this Act annexed, an alphabetical List of all Persons who may be entitled to vote in the Election of a Member or Members to serve in Parliament for such City or Borough, in respect of the Occupation of Premises of the clear yearly Value of not less than Ten Pounds, situate wholly or in part within such Parish or Township, and another alphabetical List, according to the Form numbered (4.) in the said Schedule (B.), of all other Persons (except Freemen) who may be entitled to vote in the Election of such City or Borough by virtue of any other Right whatsoever, and in each of the said Lists the Christian Name and Surname of every such Person shall be written at full Length, together with the Place of his Abode and the Nature of his Qualification, and where any Person shall be entitled to vote in respect of any Property, then the Name of the Street, Lane, and the Number of the House (if any) or other Description of the Place where such Property may be situate, shall be specified in the List; and the said Overseers shall sign such Lists, and shall forthwith cause a sufficient Number of Copies of each of the said Lists to be written or printed, and shall publish Copies of the said Lists on or before the First Day of *August* in such Year, and shall likewise keep a Copy of each of the said Lists, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the first Fourteen Days after such Lists shall have been so published, and shall deliver Copies thereof to all Persons applying for the same, on Payment of a Price for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

Copies of Lists to be kept for Inspection and Sale.

Town Clerks to prepare and publish the Lists of Freemen.

XIV. And be it enacted, That the Town Clerk of every City or Borough shall, on or before the last Day of *July* in the present and in each succeeding Year, make out, according to the Form numbered (5.) in the said Schedule (B.), an alphabetical List of all the Freemen of such City or Borough who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough, together with the respective Places of their Abode, and shall sign such List, and cause Copies thereof to be written or printed, and shall publish the said List on or before the First Day of *August* in such Year, and shall likewise keep a Copy thereof, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the first Fourteen Days after such Lists shall have been so published, and shall deliver Copies thereof to all Persons applying for the same, on Payment of a Price for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

Persons omitted from the Borough Lists to give Notice of their Claims.

Lists of Claimants to be made.

XV. And be it enacted, That every Person whose Name shall have been omitted in any such List of Voters for any City or Borough so to be made out as aforesaid, and who shall claim, as having been entitled on the last Day of *July* then next preceding, to have his Name inserted therein, and every Person desirous of being registered for a different Qualification than that for which his Name appears in the said List, shall, on or before the Twenty-fifth Day of *August* in that Year, give or cause to be given a Notice, according to the Form numbered (6.) in the said Schedule (B.) or to the like Effect, to the Overseers of that Parish or Township in the List whereof he shall claim to have his Name inserted, or if he shall claim as a Freeman of any City or Borough, or Place sharing in the Election therewith, then he shall in like Manner give or cause to be given to the Town Clerk of such City, Borough, or Place, a Notice, according to the Form numbered (7.) in the said Schedule (B.), or to the like Effect; and the Overseers and Town Clerks respectively shall include the Names of all Persons so claiming as aforesaid in Lists, according to the Forms numbered (8.) and (9.) respectively in the said Schedule (B.)

Registered Electors and Claimants may inspect Rate Books.

XVI. And be it enacted, That it shall be lawful for any Person whose Name shall be on any List of Voters for the Time being for any City or Borough, or for any Person who shall have claimed to have his Name inserted in any such List, upon Request made by such Person, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, between the Tenth Day of *August* and the last Day of *August*, to any Overseer or other Officer having the Custody of any Poor-rate Book, to inspect such Poor-rate Book, and make Extracts therefrom for any Purpose relating to any Claim or Objection made or intended to be made by or against such Person; and

every

every such Overseer or other Officer as aforesaid is hereby required, upon such Request as aforesaid, to permit such Inspection, and the making of such Extracts, without Payment of any Fee.

Cities and Boroughs.

Persons named in List may object to others as not entitled to be in List.

Notice of Objection to be given to Overseers, or to Town Clerk, and also to Person objected to.

XVII. And be it enacted, That every Person whose Name shall have been inserted in any List of Voters for any City or Borough may object to any other Person as not having been entitled on the last Day of *July* next preceding to have his Name inserted in any List of Voters for the same City or Borough; and every Person so objecting shall, on or before the Twenty-fifth Day of *August* in that Year, give or cause to be given a Notice, according to the Form numbered (10.) in the said Schedule (B.) or to the like Effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted, or if the Person objected to shall have been inserted in the List of Freemen of any City or Borough, except the City of *London*, then to the Town Clerk of such City or Borough; and every Person so objecting shall also give or cause to be left at the Place of Abode of the Person objected to, as stated in the said List, a Notice according to the Form numbered (11.) in the said Schedule (B.); and every Notice of Objection shall be signed by the Person objecting.

List of Persons objected to to be made.

Such Lists, and the Lists of Claimants, to be published.

Copies of Lists and Notices of Objection to be kept for Inspection.

XVIII. And be it enacted, That the said Overseers shall include the Names of all Persons so objected to in a List, according to the Form numbered (12.) in the said Schedule (B.); and every Town Clerk shall include the Names of all Persons so objected to as Freemen in a List, according to the Form numbered (13.) in the said Schedule (B.); and the said Overseers and Town Clerks respectively shall sign each of the said Lists, and cause Copies thereof to be written or printed, and shall publish the said List of Persons objected to, and the said List of Claimants as aforesaid, on or before the First Day of *September* in the said Year; and shall keep Copies of the said Lists, and shall allow the same, and also the Notices of Objection which they shall have received, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the first Fourteen Days of *September* in the said Year, and shall deliver Copies of each of such Lists to any Person requiring the same, on Payment of a Price for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

Overseers to deliver Copies of Lists to the Town Clerk.

XIX. And be it enacted, That the said Overseers shall, on or before the Twenty-ninth Day of *August* in every Year, deliver to the said Town Clerk a Copy of the said List of Voters, made out by them as aforesaid, and a Copy of the said List of Persons who shall have claimed as aforesaid, and a Copy of the List of Persons objected to as aforesaid.

Freemen and Liverymen of the City of London.

XX. And be it enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the Election of a Member or Members to serve in Parliament for the City of *London*, the Secondaries of the said City shall, on or before the Twentieth Day of *July* in every Year, issue Precepts to the Clerks of the said Livery Companies, requiring them to make out or cause to be made out, at the Expence of the respective Companies, an alphabetical List, according to the Form numbered (1.) in the Schedule (C.) to this Act annexed, of the Freemen of *London*, being Liverymen of the said respective Companies, and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to the Secondaries, on or before the last Day of *July*, who shall forthwith fix One such Copy in the Guildhall and One in the Royal Exchange of the said City, there to remain Fourteen Days; and the Clerks of the said Livery Companies shall cause a sufficient Number of Copies of such Lists of Freemen and Liverymen of their respective Companies to be printed, at the Expence of the respective Companies, and shall keep, and allow the same to be perused by any Person without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during Fourteen Days next after such Lists shall have been published, and shall deliver the same to any Person applying for the same, on Payment of a Price for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein, as having been entitled on the last Day of *July* then next preceding to have his Name inserted in such List, shall, on or before the Twenty-fifth Day of *August* in such Year, give or cause to be given a Notice according to the Form numbered (2.) in the said Schedule (C.), or to the like Effect, to the Secondaries and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and every Person whose Name shall have been inserted in any List of Voters for the Time being for the said City may object to any other Person as not having been entitled on the last Day of *July* then next preceding to have his Name inserted in any such Livery List; and every Person so objecting shall, on or before the said Twenty-fifth Day of *August*, give to such other Person, or leave at his Place of Abode, as described in such List, a Notice according to the Form numbered (4.) in the said Schedule (C.), or to the like Effect, and shall also give to the Secondaries, and to the Clerk of that Company in the List whereof the Name of the Person objected to has been inserted, Notice according to the Form numbered (5.) in the said Schedule (C.), or to the like Effect; and the Secondaries shall include the Names of all Persons so claiming, and so objected to as aforesaid, in Two several Lists, according to the Forms numbered (3.) and (6.) in the said Schedule (C.), and shall cause such last-mentioned Lists to be fixed in the Guildhall and Royal Exchange of the said City, on or before the First Day of *September*, and shall likewise keep Copies thereof, and allow the same to be perused by any Person without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the Fourteen Days following the first Publication of the said List, and shall deliver Copies thereof to any Person applying for the same, on Payment of a Price

Cities and Boroughs.

for each Copy after the Rate contained in the Table numbered (1.) in the Schedule (D.) to this Act annexed.

Certain Freeholders, entitled to vote for New Shoreham and Cricklade, where to be registered.

XXI. And be it enacted, That for all the Purposes of forming a Register of Voters for the Borough of *New Shoreham* and for the Borough of *Cricklade* respectively, under the Provisions of this Act, all Persons having a Right to vote for the Borough of *New Shoreham* in respect of any Freeholds which may be situate in the Borough of *Horsham*, or for the Borough of *Cricklade* in respect of any Freeholds which may be situate in the Borough of *Malmesbury*, shall be inserted in the same Lists of Voters respectively in which they are to be inserted by the Directions in that Behalf of the said recited Act.

Provision as to Places having no Overseers.

XXII. And be it enacted, That every Precinct or Place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall, for the Purpose of making any Claim, and making out any List directed by this Act, be deemed to be within the Parish or Township adjoining thereto, and sharing in the Right of Election to which such Claim or List may relate; and if such Parish or Place shall adjoin Two or more Parishes or Townships situated as aforesaid, it shall be deemed to be within the least populous of such Parishes or Townships, according to the last Census for the Time being.

Counties, Cities, and Boroughs.

What shall be Publication of Notice.

XXIII. And be it enacted, That every Notice, List, Register, or other Document herein required to be published, shall be so published, except where some other Mode or Place of Publication is herein expressly provided, by being fixed in some public and conspicuous Situation on the outside of the outer Door or outer Wall near the Door of the Buildings herein-after named for that Purpose; (that is to say,) in the Case of Publication by Overseers, every Church and public Chapel in their Parish or Township, including Places of public Worship which do not belong to the Established Church, and in the Case of Publication by a Town Clerk, the Town Hall, or in either Case, if there be no such Building as is herein-before named for that Purpose, then in some public and conspicuous Situation within the Parish or Township, City, Borough, or Place respectively.

Time for which Publication shall be.

XXIV. And be it enacted, That in all Cases in which any Notice, List, Register, or other Document shall, pursuant to the Provisions aforesaid, be affixed on or near the Door of any Church, Chapel, Town Hall, or other Place, the same shall continue so fixed for a Period including Two consecutive *Sundays* at the least next after the Day on or before which the same is herein-before required to be published; and in case the same shall be destroyed, mutilated, effaced, or removed before the Expiration of such Period, the Party herein-before required to publish the same as aforesaid shall, as soon as conveniently may be, publish in like Manner in its Place another Notice, List, Register, or other Document to the like Purport and Effect with the Notice, List, Register, Paper, or Document so destroyed, mutilated, effaced, or removed.

Penalty for hindering Publication.

XXV. And be it enacted, That every Person who shall wilfully destroy, mutilate, efface, or remove any Notice, List, Register, or other Document so affixed as aforesaid, during the Period during which the same is herein-before required to remain so affixed, shall for every such Offence forfeit any Sum not exceeding Forty Shillings nor less than Ten Shillings to any Person who will sue for the same, to be recovered in a summary Manner before any Two Justices of the Peace.

List not invalidated by imperfect Publication.

XXVI. And be it enacted, That no List shall be invalidated by reason that it shall not have been affixed in every Place and for the full Time herein-before required for Publication thereof, but that the Barrister shall proceed to revise and adjudicate upon every such List which shall have been affixed in any Place and for any Part of the Time herein-before mentioned in that Behalf; but nothing herein contained shall be construed to exempt the Overseer, Town Clerk, or other Person charged with the Duty of publishing such List as aforesaid from the Penalties of his Neglect or wilful Default.

If no List made out or published, former List to be in force.

XXVII. And be it enacted, That in case no List of Voters shall have been made out for any Parish, Township, or Place in any Year, or in case such List shall not have been affixed in any Place herein-before mentioned in that Behalf, the Register of Voters for that Parish, Township, or Place then in force shall be taken to be the List of Voters for that Parish, Township, or Place for the Year then next ensuing, and the Provisions herein contained respecting any such List of Voters shall be taken to apply to such Register as aforesaid.

Lord Chief Justice and Judges of Assize to appoint Barristers for revising Lists.

XXVIII. And be it enacted, That the Lord Chief Justice of the Court of Queen's Bench shall, in the Month of *July* or *August* in every Year, appoint so many Barristers as he shall deem necessary to revise the Lists of Voters for that Year for the County of *Middlesex* and for the City of *London*, the City of *Westminster*, and the several Boroughs in the County of *Middlesex*, and that the senior Judge for the Time being in the Commissions of Assize for every other County shall, during the Summer Circuit in every Year, appoint so many Barristers as he shall deem necessary to revise the Lists of Voters for that Year for every such County, or for the Ridings, Parts, and Divisions of every such County, and for the several Cities and Boroughs in every such County, and for every City and Town, and County of a City and Town, next adjoining to any such County; and the Town and County of the Town of *Kingston-upon-Hull* shall for this Purpose be considered as next adjoining to the County of *York*, and the Town of *Berwick-upon-Tweed* and the Town and County of the Town of *Newcastle-upon-Tyne* as next adjoining to the County of *Northumberland*, and the City and County of the City of *Bristol* as next adjoining to the County of *Somerset*; and the said Lord Chief Justice and Judge respectively shall in every Year have Power to appoint One or more Barristers to revise the Lists for that Year for the same County, City, or Borough, or other Place as aforesaid, or One Barrister only to revise the Lists for several Counties, Cities, Boroughs, and other Places as aforesaid: Provided always, that, except as is herein-after provided, no greater Number of Barristers shall be so appointed in any Year than as follows; (that is to say,) for the County of *Middlesex*, and for the City of *London*, the City of *Westminster*, and the

the Boroughs in the County of *Middlesex*, Three; for the Counties, Cities, Boroughs, and Places within the Home Circuit, Ten; for the Counties, Cities, Boroughs, and Places within the Western Circuit, Fourteen; for the Counties, Cities, Boroughs, and Places within the *Oxford* Circuit, Twelve; for the Counties, Cities, Boroughs, and Places within the Midland Circuit, Eleven; for the Counties, Cities, Boroughs, and Places within the *Norfolk* Circuit, Eight; for the Counties, Cities, Boroughs, and Places within the Northern Circuit, Fifteen; for the Counties, Cities, Boroughs, and Places within the *North Wales* Circuit, Six; for the Counties, Cities, Boroughs, and Places within the *South Wales* Circuit, Six: Provided also, that no Barrister shall be so appointed who shall be of less than Three Years standing, or a Member of Parliament, or who shall hold any Office or Place of Profit under the Crown, except the Office of Recorder of any City or Borough; but no such Barrister shall be so appointed for any City or Borough of which he shall be the Recorder; and that no Barrister appointed as aforesaid shall for Eighteen Months from the Time of his Appointment be eligible to serve in Parliament for any County, Riding, Parts, or Division of a County, or for any City, Borough, or other Place as aforesaid for which he shall be so appointed.

Counties, Cities, and Boroughs.

XXIX. And be it enacted, That, notwithstanding any thing herein-before contained, if it shall appear to the Lord Chief Justice or Judge who shall have appointed any Barrister or Barristers under this Act to revise any Lists of Voters, that by reason of the Death, Illness, or Absence of any such Barrister or Barristers, or by reason of the Insufficiency of the Number of such Barristers, or from any other Cause, such List cannot be revised within the Period directed by this Act, it shall be lawful for such Lord Chief Justice or Judge, and he is hereby required, to appoint One or more Barrister or Barristers, qualified as aforesaid, to act in the Place of or in addition to the Barrister or Barristers originally appointed for any County, City, or Borough; and such Barrister or Barristers so subsequently appointed shall have the same Powers and Authorities in every respect as if they had been originally appointed by such Lord Chief Justice or Judge: Provided always, that whenever any such additional Barrister or Barristers shall have been appointed for the Revision of the Lists of Voters as aforesaid, and that in consequence or by reason of such Appointment the total Number of Barristers appointed to revise in any One Year shall exceed the whole Number herein-before authorized to be appointed, the Commissioners of Her Majesty's Treasury shall cause an Account of all such Appointments of additional Barristers, and the Sums respectively paid to them, to be laid before each House of Parliament within Twenty Days after the next Meeting of Parliament.

Judges to appoint additional Barristers in case of need.

XXX. And be it enacted, That where Two or more Barristers shall be appointed for the same County, Riding, Parts, or Division of a County, or for the same City or Borough, they may hold separate Courts at the same Time and Place for the Despatch of Business, or may hold separate Courts at different Times and Places, as shall be deemed most expedient.

Barristers may hold separate Courts.

XXXI. And be it enacted, That every such Revising Barrister shall notify his Appointment to the Clerk of the Peace of every County and to the Town Clerk of every City and Borough of which he shall be appointed to revise the Lists; and each Clerk of the Peace shall as soon as possible transmit an Abstract of the Number of Persons objected to by the Overseers and by other Persons in each Parish and Township in and for the same County, and the Town Clerk of every City or Borough shall as soon as possible transmit an Abstract of the said several Lists of Claimants, and the Lists of Persons objected to, in each Parish or Township in and for the same City or Borough, to the said Barrister, in order that proper Times and Places for holding Courts for the Revision of such Lists respectively may be appointed.

Barrister to notify his Appointment to Clerk of the Peace and Town Clerks, who are to transmit to him Abstracts and Lists.

XXXII. And be it enacted, That the Barrister appointed to revise the Lists of any County shall make a Circuit and hold open Courts for such Revision at each of the Places which now are or hereafter may be appointed as Polling Places for such County, and at any other Places within the said County which he shall think expedient, at convenient Times between the Fifteenth Day of *September* inclusive and the last Day of *October* inclusive in the then current Year, and shall, Ten Days at the least before the holding of the First Court of Revision, give Notice to the Clerk of the Peace of the several Times and Places at which the said Courts will be holden, and of the several Parishes the Lists of and for which will be revised at each of the said Courts; and the said Clerk of the Peace shall forthwith cause public Notice thereof to be given by Advertisement in One or more of the Newspapers circulating within the said County, and shall cause a sufficient Number of Copies of the said Notice to be written or printed, and shall deliver or send a Copy thereof to the Overseers of every Parish or Township, and require them to publish the said Copy of the said Notice, and to attend at the Court therein appointed for the Revision of the List of Voters relating to their said Parish or Township, and the said Overseers shall forthwith publish the said Copy of the said Notice accordingly.

Barristers to hold Courts for revising Lists of Voters for Counties within a certain Period, and to give Notice of the Times and Places of holding such Courts to Clerk of Peace, who is to give Notice thereof by Advertisement, and to Overseers.

XXXIII. And be it enacted, That the Barrister or Barristers appointed to revise the Lists of Voters for any City or Borough shall hold an open Court or Courts for that Purpose within such City or Borough, and also within every Place sharing in the Election for such City or Borough, between the Fifteenth Day of *September* inclusive and the last Day of *October* inclusive in the then current Year, and such Barrister or Barristers shall, Seven Days at the least before holding any such Court or Courts, give Notice to the Town Clerk of such City or Borough of the Time and Place of holding the same; and if such Barrister shall, in his Discretion, deem it expedient to hold his Courts at different Times and Places within the said City or Borough, the said Barrister shall in such Case give Notice to the said Town Clerk of such Times and Places so appointed, and of the Parishes allotted to each Court; and the Town Clerk shall forthwith publish

Barristers to hold Courts for revising the Lists of Voters for Boroughs, and give Notice thereof to the Town Clerk, who is to publish the same.

Counties, Cities, and Boroughs.

publish a Notice of the Time and Place of the holding of every such Court as aforesaid on the Town Hall, and on every Church and Chapel within such City or Borough, or, if there be no Church or Chapel or Town Hall therein, then in some public and conspicuous Place therein.

Clerk of the Peace to attend the first Court, and Overseers to attend the Courts for their respective Districts and Parishes, and produce Lists of Voters, and answer Questions.

XXXIV. And be it enacted, That the Clerk of the Peace of every County, at the opening of the first Court to be so holden as aforesaid in and for the same County, shall deliver or cause to be delivered to the said Barrister or Barristers all the Lists of Voters for the then current Year, with the marginal Additions as aforesaid, and Lists of Persons objected to in the said Year, relating to the said County, and also One or more printed Copies of the Register of Voters then in force for the said County; and the Overseers of every Parish and Township shall attend the Court to be holden for revising the Lists relating to their Parish or Township, and shall deliver to the Barrister or Barristers holding such Court the original Notices of Claim and Notices of Objection given to them as aforesaid; and the said Clerk of the Peace and Overseers shall (if required) answer upon Oath all such Questions as such Barrister or Barristers may put to them, and produce all Documents, Papers, and Writings in their Possession, Custody, or Power touching any Matter herein mentioned.

Town Clerks, Overseers, and in London Secondaries and Clerks of Companies, to attend the Courts, to produce Lists and answer Questions, &c.

XXXV. And be it enacted, That the Town Clerk of every City or Borough, and the several Overseers for the Time being of every Parish or Township therein, and in the City of *London* the Secondaries and the Clerks of the several Livery Companies of such City, shall attend the first Court to be holden before every such Barrister for every such City or Borough, unless they shall have been respectively required by Notice to attend at some other Court, in which Case they shall attend the said Court as required; and the said Overseers, Town Clerks, and Secondaries respectively shall, at the opening of the said Court, deliver to the said Barrister the several Lists so made by them respectively as aforesaid, and also the original Notices of Claim and of Objection received by them as aforesaid; and the said Overseers shall also produce at the said Court all Rates made for the Relief of the Poor of their respective Parishes or Townships, between the Sixth Day of *April* in the Year then last past and the last Day of *July* in the then present Year; and the said Town Clerks, Overseers, Secondaries, and Clerks respectively shall answer upon Oath all such Questions as any such Barrister may put to them or any of them, and produce all Documents, Papers, and Writings in their Possession, Custody, or Power touching any Matter necessary for revising the List of Voters; and every such Barrister shall have Power to require any Assessor, Collector of Taxes, or other Officer having the Custody of any Tax Assessment or Duplicate, or any Overseer or Overseers of a past Year, or other Person having the Custody of any Poor Rate of the then current or any past Year, or any Relieving Officer, and in the City of *London* the Chamberlain or his Deputy, to attend before him at any Court to be holden by him in pursuance of this Act, and they shall attend accordingly, and answer upon Oath all such Questions as such Barrister may put to them.

Power of Barrister to require Attendance of Overseer of past Year, and Assessor and Collector, &c.

Voters residing out of the Polling District to which the Parish wherein their Qualification is situate belongs may vote in another Polling District, on making a Claim before the Revising Barrister.

XXXVI. And be it enacted, That any Person whose Name shall appear in the List of Voters of any Parish or Township in and for any County, and whose Place of Abode, as stated in such List, shall not be within the Polling District at which the said Parish or Township shall be allotted to poll, but within the same County, shall be at liberty to make his Claim before the Revising Barrister to vote at the Polling Place of the District wherein his said Place of Abode may be situate; and any Person whose Name shall appear in any List as aforesaid, and whose Place of Abode, as stated in such List, shall not be within the same County, shall be at liberty in like Manner to make his Claim to vote at the Polling Place of any District within the same County; and every such Person shall make his Claim in Writing under his Hand, and such Claim shall be delivered to and verified before the Revising Barrister holding his Court for the Revision of the List of Voters in which the Name of such Person shall appear as aforesaid, and it shall then be lawful for the said Barrister to insert in the said List, against the Name of such Person so claiming as aforesaid, the Name of the Polling Place at which such Person shall be registered to vote; and such Person so registered shall be admitted to vote at every contested Election for the said County at the said last-mentioned Polling Place, and not elsewhere, any thing in the said recited Act to the contrary notwithstanding.

Barrister to insert in County Lists Names of Claimants omitted by the Overseer on Proof of Claim, &c.

XXXVII. And be it enacted, That if any Person who shall have given to the Overseers of any Parish or Township due Notice of his Claim to have his Name inserted in the List of Persons entitled to vote in the Election of a Knight or Knights of the Shire shall have been omitted by such Overseers from such List, it shall be lawful for the Revising Barrister, upon the Revision of such List, to insert therein the Name of the Person so omitted, in case it shall be proved to the Satisfaction of such Barrister that such Person gave due Notice of such his Claim to the said Overseers, and that he was entitled on the last Day of *July* then next preceding to be inserted in the said List of Voters.

Power of Barrister to insert Names in Lists of Borough Voters.

XXXVIII. And be it enacted, That the Revising Barrister shall insert in any List of Voters for any City or Borough the Name of every Person omitted who shall be proved to the Satisfaction of such Barrister to have given due Notice of his Claim to be inserted in such List, and to have been entitled on the last Day of *July* then next preceding to have his Name inserted therein in respect of the Qualification described in such Notice of Claim.

Any Person on List of Voters may object to Claimants.

XXXIX. And be it enacted, That it shall be lawful for any Person whose Name shall be on any List of Voters for any County, City, or Borough to oppose the Claim of any Person so omitted as aforesaid to have his Name inserted in any List of Voters for the same County, City, or Borough; and such Person intending to oppose any such Claim shall, in the Court to be holden as aforesaid for the Revision of such List, and before the hearing of the said Claim, give Notice in Writing to the Revising Barrister of his Intention

Intention to oppose the said Claim, and shall thereupon be admitted to oppose the same, by Evidence or otherwise, without any previous or other Notice, and shall have the same Rights, Powers, and Liabilities as to Costs, Appeal, and other Matters relating to the hearing and Determination of the said Claim, as any Person who shall have duly objected to the Name of any other Person being retained on any List of Voters, and who shall appear and prove the requisite Notices as herein-after mentioned. *Counties, Cities, and Boroughs.*

XL. And be it enacted, That the Revising Barrister shall correct any Mistake which shall be proved to him to have been made in any List, and shall expunge the Name of every Person whose Qualification, as stated in any List, shall be insufficient in Law to entitle such Person to vote, and also the Name of every Person who shall be proved to him to be dead; and wherever the Christian Name, or the Place of Abode, or the Nature of the Qualification, or the local or other Description of the Property of any Person who shall be included in any such List, and the Name of the occupying Tenant thereof, shall be wholly omitted in any Case where the same is by this Act directed to be specified therein, or if any Person whose Name is included in any such List, or his Place of Abode, or the Nature or Description of his Qualification, shall, in the Judgment of the Revising Barrister, be insufficiently described for the Purpose of being identified, such Barrister shall expunge the Name of every such Person from such List, unless the Matter or Matters so omitted or insufficiently described be supplied to the Satisfaction of such Barrister before he shall have completed the Revision of such List, in which Case he shall then and there insert the same in such List: Provided always, that, whether any Person shall be objected to or not, no Evidence shall be given of any other Qualification than that which is described in the List of Voters or Claim, as the Case may be, nor shall the Barrister be at liberty to change the Description of the Qualification as it appears in the List, except for the Purpose of more clearly and accurately defining the same; and where the Name of any Person inserted in any List of Voters shall have been objected to by the Overseers or by any other Person, and such other Person so objecting shall appear by himself, or by some one on his Behalf, in support of such Objection, and shall prove that he gave the Notice or Notices respectively required by this Act to be given by him, every such Barrister shall then require it to be proved that the Person so objected to was entitled on the last Day of *July* then next preceding to have his Name inserted in the List of Voters in respect of the Qualification described in such List; and in case the same shall not be proved to the Satisfaction of such Barrister, or in case it shall be proved that such Person was then incapacitated by any Law or Statute from voting in the Election of Members to serve in Parliament, such Barrister shall expunge the Name of every such Person from the said Lists: Provided always, that where any Person whose Name appears on any List of Voters for any County shall be objected to on the Ground of having changed his Place of Abode without having sent in a fresh Notice of Claim, it shall be lawful for the Barrister on revising the List to retain the Name of such Person on the List of Voters, provided that such Person, or some one in his Behalf, shall prove that he possessed, on the last Day of *July*, the same Qualification in respect of which his Name has been inserted in such List, and shall also supply his true Place of Abode, which the said Barrister shall insert in such List.

Corrections which may be made by Barrister in the Register.

No Change to be made of Qualification stated in Lists.

Mode of proceeding in Cases of Objection.

Provision in certain Cases of Change of Abode.

XLI. And be it enacted, That every Revising Barrister holding any Court under this Act shall have Power to adjourn the same from Time to Time, and from any one Place to any other Place within the same County, or within the same City or Borough, but so that no such adjourned Court shall be holden after the last Day of *October* in any Year; and at every Court to be holden as aforesaid by any Revising Barrister the said Barrister shall have Power to administer an Oath to all Persons examined before him, and all Parties, whether claiming or objecting or objected to, and all Persons whatsoever, may be examined upon Oath touching the Matters in question; and every Person taking any Oath or Affirmation under this Act, who shall wilfully swear or affirm falsely, shall be deemed guilty of Perjury, and at the holding of such respective Courts no Party or other Person shall appear or be attended by Counsel; and every such Barrister shall upon the hearing in open Court finally determine upon the Validity of such Claims and Objections, and shall for that Purpose have the same Powers and proceed in the same Manner (except where otherwise directed by this Act) as the Returning Officer of any County, City, or Borough, according to the Laws and Usages observed at Elections previous to the passing of the said recited Act; and such Barrister shall in open Court write his Initials against the Names respectively expunged or inserted, and against any Part of the said Lists in which any Mistake shall have been corrected or any Omission supplied or any Insertion made by him, and shall sign his Name to every Page of the several Lists so settled.

Power of Revising Barristers to adjourn their Courts, administer Oath, &c.

Persons swearing falsely guilty of Perjury.

Barrister in open Court to decide upon Validity of Claims and Objections.

XLII. And be it enacted, That it shall be lawful for any Person who, under the Provisions herein-before contained, shall have made any Claim to have his Name inserted in any List, or made any Objection to any other Person as not entitled to have his Name inserted in any List, or whose Name shall have been expunged from any List, and who in any such Case shall be aggrieved by or dissatisfied with any Decision of any Revising Barrister on any Point of Law material to the Result of such Case, either himself or by some Person on his Behalf, to give to the Revising Barrister in Court, before the rising of the said Court, on the same Day on which such Decision shall have been pronounced, a Notice in Writing that he is desirous to appeal, and in such Notice shall shortly state the Decision against which he desires to appeal; and the said Barrister thereupon, if he thinks it reasonable and proper that such Appeal should be entertained, shall state in Writing the Facts which according to his Judgment shall have been established by the Evidence in the Case, and which shall be material to the Matter in question, and shall also state in Writing his Decision upon the whole Case, and also his Decision upon the Point of Law in question appealed against; and such Statement shall be made as nearly as conveniently may be in like Manner as is

Appeal from Revising Barrister's Decision on Points of Law.

Revising Barrister to prepare a Statement of Facts.

Counties, Cities, and Boroughs.

is now usual in stating any special Case for the Opinion of the Court of Queen's Bench upon any Decision of any Court of Quarter Sessions; and the said Barrister shall read the said Statement to the Appellant in open Court, and shall then and there sign the same; and the said Appellant, or some one on his Behalf, shall at the End of the said Statement make a Declaration in Writing under his Hand to the following Effect, that is to say, "I appeal from this Decision;" and the said Barrister shall then indorse upon every such Statement the Name of the County and Polling District, or City and Borough, and of the Parish or Township to which the same shall relate, and also the Christian Name and Surname and Place of Abode of the Appellant and of the Respondent in the Matter of the said Appeal, and shall sign and date such Indorsement; and the said Barrister shall deliver such Statement, with such Indorsement thereon, to the said Appellant, to be by him transmitted to Her Majesty's Court of Common Pleas at *Westminster* in the Manner herein-after mentioned; and the said Barrister shall also deliver a Copy of such Statement, with the said Indorsement thereon, to the Respondent in such Appeal who shall require the same.

Appellant to make a Declaration in Writing.

Revising Barrister to indorse on Statement the Names of Parties, &c.; and deliver a Copy to either Party requiring it.

Who shall be Respondent on Appeal.

XLIII. And be it enacted, That in the Matter of every such Appeal the Party in whose Favour the Decision appealed against shall have been given shall be the Respondent; but if there be no such Party, or if such Party, or some one on his Behalf, shall in open Court decline, and state in Writing that he declines, to support the Decision appealed against as Respondent, then and in every such Case it shall be lawful for the said Revising Barrister to name any Person who may be interested in the Matter of the said Appeal, and who may consent, or the Overseers of any Parish or Township, or the Town Clerk of any City or Borough, to be, and such Person so consenting, or such Overseers or Town Clerk respectively so named, shall be deemed to be the Respondent or Respondents in such Appeal.

Power to consolidate Appeals.

XLIV. And be it enacted, That if it shall appear to any Revising Barrister that the Validity of any Number of such Claims or Objections determined by him at any Court as aforesaid depends and has been decided by him upon the same Point or Points of Law, and the Parties, or any of them, aggrieved by or dissatisfied with his Decision thereon, shall have given Notice of an Intention to appeal therefrom, it shall in such Case be lawful for the said Barrister to declare that the Appeals against such Decision ought to be consolidated, and the said Barrister shall in such Case state in Writing the Case, and his Decision thereon, in manner herein-before mentioned, and that several Appeals depend upon the same Decision, and ought to be consolidated, and shall read such Statement, and sign the same, as herein-before mentioned, and thereupon it shall be lawful for the said Barrister to name any Person interested, and consenting, for and on behalf of himself and all other Persons in like Manner interested in such Appeals, to be the Appellant or Respondent respectively in such consolidated Appeal, and to prosecute or answer the said Appeal, in like Manner as any Appellant or Respondent might in his own Case under the Provisions of this Act, and the Person so named Appellant in such consolidated Appeal, or some one on his Behalf, shall, at the End of the said Statement, make and sign a Declaration in the Form or to the Effect following; (that is to say,)

'I, FOR myself and on behalf of all the other Persons who are interested as Appellants in this Matter, 'I,' and whose Names are hereunder written, do appeal against this Decision, and agree to prosecute this 'Appeal.'

And the Person so named Respondent in such consolidated Appeal, or some one on his Behalf, shall in like Manner make and sign a Declaration in Writing in the Form or to the Effect following; (that is to say,)

'I, FOR myself and on behalf of all the other Persons interested as Respondents in this Matter, and whose 'I,' Names are hereunder written, do agree to appear and answer this Appeal.'

And the Name, and, where necessary, the Particulars of the Qualification of every Party intended to be joined in such consolidated Appeal, shall be written under the aforesaid Declaration of the Appellant or Respondent respectively to which they may respectively refer: Provided always, that it shall be lawful for the said Barrister, if necessary, in any Case to name the Overseers of any Parish or Township, or the Town Clerk of any City or Borough, to be, and they or he so named shall be, the Respondents or Respondent in such consolidated Appeal, without any such Declaration being made or signed by them or him as herein-before mentioned.

Overseers or Town Clerk may be named as Respondents.

Consolidated Appeals to be conducted as any single Appeal.

Agreement for Contribution to Costs of consolidated Appeal may be made a Rule of Court.

If consolidated Appeal not duly prosecuted or answered, the Court or a Judge may give Conduct of it or of the Answer to other Persons.

XLV. And be it enacted, That in and with regard to every such consolidated Appeal the like Proceeding shall be had and taken and the like Rules and Regulations shall apply as in the Case of any other Appeal under this Act; and that every Order, Judgment, or Decision of the said Court of Common Pleas shall be equally valid and effectual for all the Purposes of this Act, and binding and conclusive upon all the Parties named in or referred to as Parties to such consolidated Appeal as aforesaid; and that if in any Case all or any of the Parties to such consolidated Appeal shall make or enter into any Agreement as to the Mode of contributing among themselves to the Costs and Expences of such Appeal, the said Agreement may, upon the Application of any Party or Parties thereto, be made a Rule of the said Court of Common Pleas, if the said Court shall think fit: Provided always, that if any such consolidated Appeal shall not be duly prosecuted or answered, it shall be lawful for the said Court of Common Pleas, or for the Lord Chief Justice, or any Judge of the said Court, to give to any Party or Parties interested in such Appeal, upon his or their Application, the Conduct and Direction of the said Appeal, or of the Answer thereto, respectively, as the Case may require, instead of or in addition to any Person named as aforesaid as Appellant or Respondent, and in such Manner and upon such Terms as the said Court or Lord Chief Justice or Judge may think fit and order, or to make such other Order in the Case as may seem meet; provided also, that if after the said Barrister shall as aforesaid have declared that the Appeal in any Case ought

ought to be with others consolidated, any Party interested in such Appeal shall object and refuse to be a Party to or to be bound by any such consolidated Appeal, then and in such Case the Appeal in which such Person is interested may proceed separately, but such Person so refusing or objecting shall be liable to pay Costs to the other Party, but shall not be entitled to receive any Costs of or in such Appeal, unless the said Court otherwise order.

If Party interested shall refuse to be a Party, &c.

XLVI. And be it enacted, That if in any Case it shall appear to any Revising Barrister holding any Court as aforesaid that any Person shall under this Act have made or attempted to sustain any groundless or frivolous and vexatious Claim or Objection or Title to have any Name inserted or retained in any List of Voters, it shall be lawful for the said Barrister, in his Discretion, to make such Order as he shall think fit for the Payment by such Person of the Costs or of any Part of the Costs of any Person or Persons in resisting such Claim or Objection or Title; and in every such Case the said Barrister shall make an Order in Writing, specifying the Sum which he shall order to be paid for such Costs, and by and to whom and when and where the same Sum shall be paid, and shall date and sign the said Order, and deliver it to the Person or Persons to whom the said Sum shall therein be ordered to be paid: Provided always, that the said Sum so ordered to be paid by way of Costs shall not in any Case exceed the Sum of Twenty Shillings: Provided also, that such Order for the Payment of Costs as aforesaid may be made in any Case, notwithstanding any Party shall have given Notice of his Intention to appeal against any Decision of the Revising Barrister in the same Case; but in case of such Appeal the said Order for the Payment of Costs shall be suspended, and shall abide the Event of such Appeal, unless the Court of Appeal shall otherwise direct; but no Appeal shall be allowed or entertained against or only in respect of any such Order for the Payment of Costs: Provided also, that whenever any Revising Barrister shall have made any such Order for the Payment of any Sum of Money for Costs by any Person who shall have made any Objection as aforesaid, it shall not be lawful for the said Barrister to hear or admit Proof of any other Objection or Notice of Objection made or signed by the same Person until the Sum of Money so ordered to be paid by him for Costs be paid to the Person entitled to receive the same, or deposited in the Hands of the said Barrister in Court, for the Use of the Person so entitled.

Power to Barrister to give Costs in certain Cases to Parties claiming or objecting.

XLVII. And be it enacted, That the said Lists of Voters for each County, signed as aforesaid, shall be forthwith transmitted by the Revising Barrister to the Clerk of the Peace of the same County, and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, and shall forthwith cause the said Lists to be copied and printed in a Book or Books, arranged with the Names in each Parish or Township in strict alphabetical Order, according to the Surnames, and with every Polling District in alphabetical Order, and with every Parish or Township within such Polling District likewise in the same Order, and shall, after the last List for each Polling District, insert a List in like alphabetical Order of all Persons whose Names shall not appear in any of the said Lists for such Polling District, but who shall in manner herein-before mentioned have been registered by the Revising Barrister to vote at the Polling Place of such last-mentioned District, and shall in the said Book prefix to every Name its proper Number, beginning the Numbers from the first Name, and continuing them in a regular Series down to the last Name: Provided always, that a Number as aforesaid shall be prefixed to the Name of every Person in every such List inserted after the last List for any Polling District as aforesaid; and no Number, but an Asterisk only, shall be prefixed to the Name of the same Person in the List of the Parish or Township in which his Name originally appeared; and every such Book shall be printed and arranged in such Manner and Form that the List of Voters of and for each and every separate Parish or Township contained therein may be conveniently and completely cut out or detached from all the other Lists of Voters contained in the same Book, so that all the Lists for every or any Polling Place, or the List of every or any single Parish or Township, may be ready for the Purposes of this Act or for Sale; and the said Clerk of the Peace shall sign and deliver the said Book or Books on or before the last Day of *November* in the then current Year to the Sheriff of the County, to be by him and his Successors in the Office of Sheriff safely kept, for the Purposes herein-after and in the said recited Act mentioned.

County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book.

Clerk of the Peace to sign and deliver a Copy to the Sheriff.

XLVIII. And be it enacted, That the Lists of Voters for each City or Borough, signed as aforesaid, shall be forthwith delivered by the Revising Barrister to the Town Clerk of the same City or Borough; and the said Town Clerk shall forthwith cause the said Lists to be copied and printed in a Book; and in the said Book the said Lists shall be arranged and every Name numbered according to the Directions aforesaid with regard to the County Lists, so far as the same are applicable; and the said Town Clerk shall sign and deliver the said Book on or before the said last Day of *November* to the Returning Officer of the same City or Borough, to be by him and his Successors as Returning Officer safely kept for the Purposes herein-after mentioned.

Borough Lists to be delivered to Town Clerks, and copied into a Book.

Town Clerks to sign and deliver same to Returning Officers.

XLIX. And be it enacted, That the said printed Book or Books so signed as aforesaid by the Clerk of the Peace or Town Clerk respectively, and given into the Custody of the Sheriff of any County, or the Returning Officer of any City or Borough, as the Case may be, shall be the Register of Persons entitled to vote at any Election of a Member or Members to serve in Parliament which shall take place in and for the same County, City, or Borough respectively, between the last Day of *November* in the Year wherein such Register shall have been made and the First Day of *December* in the succeeding Year: Provided always, that the Register of Electors now in force shall be the Register in force until the First Day of *December* in the Year One thousand eight hundred and forty-three; and the Clerk of the Peace of every County, and the Town Clerk of every City or Borough respectively, shall keep printed Copies of the said Register for such County, City, or Borough, and shall deliver such Copies of such Register, or of any Part thereof, to any Person applying for the same, upon Payment of a Price after the Rate contained in the Table numbered

Books to be the Register of Voters for One Year.

Copies of Registers to be printed for Sale.

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numbered (2.) in the Schedule (D.) to this Act annexed: Provided always, that no Person shall be entitled to a Copy of any Part of any Register relating to any Parish or Township without taking or paying for the whole that relates to such Parish or Township.

Assessors and other Officers neglecting to attend when summoned by Revising Barrister, liable to be fined.

L. And be it enacted, That any Assessor or Collector of Taxes, or other Officer, or any Overseer or Overseers of the Poor, or other Persons having the Custody of any Poor-rate Book for any past Year, or any Assistant Overseer or Relieving Officer, who shall wilfully refuse or neglect, when duly required by Summons under the Hand of any Revising Barrister, to attend before such Barrister at any Court to be holden as aforesaid, according to the Exigency of such Summons, shall, upon Proof before him of the Service of such Summons, be liable to pay by way of Fine for every such Offence a Sum of Money not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the Discretion of the said Barrister holding any such Court as aforesaid.

Power to Barristers to fine Overseers for Neglect of Duty.

LI. And be it enacted, That any Overseer of any Parish or Township who shall wilfully refuse or neglect to make out any List, or who shall wilfully neglect to insert therein the Name of any Person who shall have given due Notice of Claim, or who in making out the List of Voters for any City or Borough shall wilfully and without any reasonable Cause omit the Name of any Person duly qualified to be inserted in such List, or who shall wilfully and without reasonable Cause insert in such List the Name of any Person not duly qualified, or who shall wilfully refuse or neglect to publish any Notice or List, or Copy of the Part of the Register of Voters relating to his Parish or Township, at the Time and in the Manner required by this Act, or who shall wilfully refuse or neglect to deliver to the Clerk of the Peace the Copy of the Lists of Claimants and of Persons objected to, and the Copies of the Register, as required by this Act, or who shall wilfully refuse or neglect to deliver to the Town Clerk of the City or Borough the Copies of the several Lists as required by this Act, or who shall wilfully refuse or neglect to attend the Court for revising the Lists of Voters of his Parish or Township, or to attend any Revising Barrister when required by any Summons as aforesaid, or who shall wilfully refuse or neglect to deliver to the Barrister or Barristers holding any such Court the several Lists to be made out by them as aforesaid, or who shall be wilfully guilty of any other Breach of Duty in the Execution of this Act, shall for every such Offence be liable to pay by way of Fine a Sum of Money not exceeding Five Pounds nor less than Twenty Shillings, to be imposed by and at the Discretion of any Barrister holding any Court for the Revision of any List of the Parish or Township of such Overseer: Provided always, that nothing herein contained as to any Fine as aforesaid shall affect or abridge any Right of Action against any Overseer or other Person liable to any Fine as aforesaid, or any Liability such Overseer or other Person may incur under or by virtue of this Act or the said recited Act.

Fines, to whom payable, and to what Purpose to be applied.

LII. And be it enacted, That every Revising Barrister, when and so often as he shall impose any such Fine as aforesaid, shall at the same Time in open Court, by an Order in Writing under his Hand stating the Sum payable for such Fine, direct by and to whom and when the same shall be paid, and the Person to whom the said Sum shall be so ordered to be paid shall receive the same, and in every Case where the Offence for which the said Fine shall have been so imposed shall relate to the Formation of the Register of Voters for any County he shall pay over the Sum so received by him to the Clerk of the Peace of the same County, and in every Case where such Offence shall relate to the Formation of the Register of Voters for any City or Borough he shall pay over the Sum so received by him to the Town Clerk of the same City or Borough, or to the said Secondaries, as the Case may require.

Clerk of the Peace and Town Clerk to account for and pay over all Monies received by them.

LIII. And be it enacted, That the Clerk of the Peace of every County and the Town Clerk of every City or Borough respectively shall keep an Account of all Monies to be received by him or them for or on account of the Sale of any Copies of the Register as aforesaid, or for or by way of Fine imposed as aforesaid; and the said Clerk of the Peace shall pay over or account for all such Monies received by him to the Treasurer of the same County, to be applied in aid of the County Rate; and the said Town Clerk shall pay over or account for all such Monies so received by them to and amongst the Overseers of the several Parishes and Townships within every City or Borough; and the Share of each Parish or Township shall be calculated as nearly as may be according to the same relative Proportion as the Number of Persons whose Names shall appear in the List of the said Parish or Township shall bear to the Number in all the other Lists upon the same Register; and the said Monies, together with all Monies received by any Overseers from the Sale by them of any Lists, shall be paid and applied by the said Overseers in aid of the Monies collected for the Relief of the Poor.

Expences of Clerks of the Peace, how to be defrayed.

LIV. And be it enacted, That an Account of all Expences incurred by any Clerk of the Peace of any County in carrying into effect the Provisions of this Act shall be laid before the Justices of the Peace at the next Quarter Sessions after such Expences shall have been incurred, and the said Justices of the Peace shall make their Order upon the Treasurer of the said County for the Payment of such Expences, or such Part thereof as they shall allow to the said Clerk of the Peace, out of the public Stock of the said County.

Expences of Town Clerks and Returning Officers, how to be defrayed.

LV. And be it enacted, That all the Expences incurred by any Town Clerk or Returning Officer of any City or Borough in carrying into effect the Provisions of this Act shall be defrayed out of the Monies to be collected for the Relief of the Poor in the several Parishes and Townships within the same City or Borough; and the Sum to be contributed by every such Parish or Township shall be calculated as nearly as may be, according to the same relative Proportion as the Number of Persons whose Names shall appear in the List of the said Parish or Township shall bear to the Number in all the other Lists upon the same Register; and an Account of all the said Expences so incurred, and also an Account of the Sum to be contributed for defraying the same by each Parish or Township as aforesaid, shall, as soon as may be after the

the said Expences shall have been so incurred, be laid before the Common Council or Town Council of the said City or Borough, or if there be no such Council in any City or Borough, then before the Justices of the Peace at the Quarter Sessions to be holden in and for the County in which the same City or Borough is situate; and the said Council or the said Justices respectively shall when they allow the said Accounts make and give to the said Town Clerk a Certificate of the total Sum allowed by such Council or Justices in respect of the said Expences, and also a Certificate of the Sum to be paid by and as the Contribution of each of the said Parishes or Townships towards defraying the same; and thereupon it shall be lawful for the Overseers of every such Parish or Township, and they are hereby required, out of the first Monies to be collected for the Relief of the Poor, to pay the Sum in such Certificate mentioned to be paid by and as the Contribution of the said Parish or Township to the said Town Clerk. *Counties, Cities, and Boroughs.*

LVI. Provided always, and be it enacted, That throughout this Act the Words "Town Clerk" shall not be understood to mean or apply to the Town Clerks of the Cities of *London* or *Westminster*, or to the Town Clerk of the Borough of *Southwark*, but throughout this Act by the Words "Town Clerk" shall be understood in regard to the City of *London* the Secondaries in the said City, and in regard to the City of *Westminster* the High Bailiff of the said City, and in regard to the Borough of *Southwark* the High Bailiff of the said Borough. Meaning of the Words "Town Clerk" in certain Cases.

LVII. And be it enacted, That an Account of all Expences incurred by the Overseers of every Parish or Township in carrying into effect the Provisions of this Act shall be laid before the Revising Barrister at the Court at which the List of Voters for such Parish or Township shall be revised; and the said Barrister shall sign and give to the said Overseers a Certificate of the Sum which he shall allow to be due to them in respect of the said Expences; and it shall be lawful for the said Overseers to receive the Sum so certified to be due to them from and out of the first Monies thereafter to be collected for the Relief of the Poor in the same Parish or Township. Expences of Overseers, how to be defrayed.

LVIII. And be it enacted, That, notwithstanding any thing in the said recited Act contained, it shall not be necessary for or required of any Person claiming or upon giving Notice of any Claim as herein or in the said recited Act mentioned to pay or cause to be paid to the Overseer of any Parish or Township the Sum of One Shilling, or any other Sum; nor shall any Notice of Claim as aforesaid be invalid by reason of such or any Sum not having been paid; and no Person whose Name shall be upon any Register of Voters for any City or Borough shall be therefore liable to the Payment of One Shilling annually, or of any other Sum on that Account. No Payment by Persons making Claim in Counties; nor by Persons on Register in Cities, &c.

LIX. And be it enacted, That every Barrister appointed to revise any Lists of Voters under this Act shall be paid the Sum of Two hundred Guineas, by way of Remuneration to him, and in satisfaction of his travelling and other Expences; and every such Barrister, after the Termination of his last Sitting, shall forward his Appointment to the Commissioners of Her Majesty's Treasury, who shall make an Order for the Payment of the above Sums to every such Barrister, and all such Sums shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided always, that in the Case of any Barrister having been appointed under this Act to revise any Lists of Voters in addition to the Barrister or Barristers originally appointed, such Barrister, instead of the Sums above mentioned, shall be paid at the Rate of Five Guineas for every Day that he shall be so employed, together with Three Guineas each Day for his travelling and other Expences; and every such last-mentioned Barrister, after the Termination of his last Sitting, shall lay or cause to be laid before the Commissioners of Her Majesty's Treasury his Appointment, and a Statement of the Number of Days during which he shall have been so employed; and the said Commissioners shall make an Order for the Payment of such Sum as shall thereupon appear to be due to every such last-mentioned Barrister, and every such Sum shall also be paid out of the said Consolidated Fund, but so that no such Barrister shall be entitled to or in any Case be paid more than the Sum of Two hundred Guineas. Remuneration of Revising Barristers.

LX. And be it enacted, That all Appeals or Matters of Appeal from or in respect of any Decision of any Revising Barrister entertained in manner herein-before mentioned shall be prosecuted, heard, and determined in and by Her Majesty's Court of Common Pleas at *Westminster* according to the ordinary Rules and Practice of that Court with respect to special Cases, so far as the same may be applicable, and not inconsistent with the Provisions of this Act, or in such Manner and Form, and subject to such Rules and Regulations, as the said Court from Time to Time, by any Rule or Order made for regulating the Practice and Proceedings in such Appeals, shall order and direct. Appeals to be heard by the Court of Common Pleas.

LXI. And be it enacted, That for the Purposes of this Act, and in all Matters relating to such Appeals, Her Majesty's Counsel learned in the Law, and all other Barristers at Law, shall and may, according to their respective Rank and Seniority, have and exercise equal Right and Privilege of practising, pleading, and audience in the said Court with the Serjeants at Law; and that it shall not be lawful for the said Court to exclude the Parties to any Appeal from appearing or being heard by Counsel before the said Court. Barristers to have equal Right of practising with Serjeants.

LXII. And be it enacted, That every Appellant who shall intend to prosecute his Appeal shall, within the first Four Days in the *Michaelmas* Term next after the Decision to which such Appeal shall relate, transmit to the Masters of the said Court of Common Pleas the Statement in Writing so signed by the said Revising Barrister as aforesaid, and shall also therewith give or send a Notice signed by him, stating therein his Intention to prosecute the said Appeal, and the said Appellant shall also give or send a Notice, signed by him, to the Respondent in the said Appeal, stating his said Intention duly to prosecute such Appeal in the said Court; and one of the Masters of the said Court, to be nominated for that Purpose by Notice of Appeal to be given by Appellant. Appeals to be entered in a Book.

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by the Lord Chief Justice of the said Court, shall forthwith enter every Appeal of which he shall have received due Notice from the Appellant as aforesaid in a Book to be kept by him for that Purpose.

Court to give Notice of the Time and Place of hearing Appeals.

LXIII. And be it enacted, That the Judges of the said Court of Common Pleas shall, as soon as may be after the Fourth Day of *Michaelmas* Term in every Year, make Arrangements for hearing the Appeals entered as aforesaid, and shall appoint such certain Day or Days, either in Term Time or in Time of Vacation, as they may think fit and necessary, but as early as conveniently may be, for the Purpose of hearing and deciding such Appeals; and the said Judges shall cause public Notice to be given of the Time and Place so appointed by them for that Purpose, and of the Order in which such Appeals will be heard.

No Appeal to be entertained unless Notice given.

LXIV. And be it enacted, That no Appeal or Matter of Appeal whatsoever shall in any Case, except where the Conduct and Direction of the Appeal, or of the Answer thereto, shall have been given by Order of the Court of Common Pleas, or of any Judge thereof, to any Person, be entertained or heard by the said Court unless Notice shall have been given by the Appellant to the Masters of the said Court at the Time and in the Manner herein-before mentioned; and no Appeal shall be heard by the said Court in any Case where the said Respondent shall not appear, unless the said Appellant shall prove that due Notice of his Intention to prosecute such Appeal was given or sent to the said Respondent Ten Days at least before the Day appointed for the hearing of such Appeal: Provided always, that if it shall appear to the said Court that there has not been reasonable Time to give or send such Notice in any Case, it shall be lawful for the said Court to postpone the hearing of the Appeal in such Case, as to the said Court shall seem meet.

No Appeal on Questions of Fact or the Admissibility of Evidence.

Court may remit Case to Revising Barrister.

LXV. And be it enacted, That no Appeal or Notice of Appeal under this Act shall be received or allowed against any Decision of any Revising Barrister upon any Question of Fact only, or upon the Admissibility or Effect of any Evidence or Admission adduced or made in any Case to establish any Matter of Fact only: Provided always, that if the said Court shall be of opinion in any Case that the Statement of the Matter of the Appeal is not sufficient to enable them to give Judgment in Law, it shall be lawful for the said Court to remit the said Statement to the Revising Barrister by whom it shall have been signed, in order that the Case may be more fully stated.

Decisions of Court to be final.

LXVI. And be it enacted, That every Judgment or Decision of the said Court shall be final and conclusive in the Case upon the Point of Law adjudicated upon, and shall be binding upon every Committee of the House of Commons appointed for the Trial of any Petition complaining of an undue Election or Return of any Member or Members to serve in Parliament.

Decisions of Court to be notified to the Sheriff or Returning Officer, and Register to be altered conformably.

LXVII. And be it enacted, That whenever by any Judgment or Order of the said Court any Decision or Order of any Revising Barrister shall be reversed or altered, so as to require any Alteration or Correction of the Register of Voters for any County, or for any City or Borough, Notice of the said Judgment or Order of the said Court shall be forthwith given by the said Court to the Sheriff or Returning Officer, as the Case may be, having the Custody of such Register, and the said Notice shall be in Writing under the Hand of One of the Masters of the said Court, and shall specify exactly every Alteration or Correction to be made, in pursuance of the said Judgment or Order, in the said Register; and such Sheriff or Returning Officer respectively shall, upon the Receipt of the said Notice, alter or correct the said Register accordingly, and shall sign his Name against every such Alteration or Correction in the said Register, and shall safely keep and hand over to his Successor every such Notice received by him from the said Court as aforesaid, together with the said Register.

Copies of Decisions on Appeals to be admissible in Evidence.

LXVIII. And be it enacted, That a Copy of any Order or Decision of the said Court, such Copy purporting to be signed by One of the Masters of the said Court, shall be sufficient Evidence in all Cases, without Proof of the Signature of the said Master, and shall have the like Force and Effect as any Entry made in any List or Register of Voters under this or the said recited Act.

Appeal pending not to affect Right of Voting.

No Decision after Election to affect Result of such Election.

LXIX. And be it enacted, That no Right of Voting at any Election of a Member or Members to serve in Parliament shall be affected by any Appeal pending in the said Court at the Time of the issuing of the Writ for such Election, but it shall be lawful for every Person to exercise the Right of Voting at such Election as effectually, and every Vote tendered thereat shall be as good, as if no such Appeal were pending; and that the subsequent Decision of any Appeal which shall be pending in the said Court at the Time of the issuing of the Writ for any such Election shall not in any way whatsoever alter or affect the Poll taken at such Election, nor the Return made thereat by the Returning Officer.

Court of Appeal may give Costs.

LXX. And be it enacted, That it shall be lawful for the said Court to make such Order respecting the Payment of the Costs of any Appeal, or of any Part of such Costs, as to the said Court shall seem meet: Provided always, that it shall not be lawful for the said Court in any Case to make any Order for Costs against or in favour of any Respondent or Person named as Respondent as aforesaid, unless he shall appear before the said Court in support of the Decision of the Revising Barrister in question.

Costs and Fines to be recovered by Distress and Sale of the Parties Goods.

LXXI. And be it enacted, That in case any Sum of Money by the Order of any Revising Barrister as aforesaid directed to be paid by any Person by way of Fine or for Costs shall not be paid according to the Terms of such Order, it shall be lawful for any Justice of the Peace and he is hereby required, upon Proof before him that a true Copy of the said Order hath been served upon or left at the usual Place of Abode of the Person in the said Order directed to pay such Sum, and that the said Sum hath been demanded of such Person, and that he hath refused or neglected to pay the same, by Warrant under his Hand and Seal to order the said Sum of Money, together with the Costs of and attending the said Warrant, to be levied by Distress and Sale of the Goods and Chattels of such Person so making default which may be found within the Jurisdiction of the said Justice; and the Overplus, if any, after the said Sum of Money

Money and Costs, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, to the Owner of the said Goods and Chattels: Provided always, that no Certiorari or other Writ or Process for the Removal of any such Order or Warrant, or of any Order or Warrant to be made or issued on account of a false Charge of Personation in the Manner herein-after provided, or any Proceeding thereon respectively, into any of Her Majesty's Courts at *Westminster*, shall be allowed or granted. *Counties, Cities, and Boroughs.* No Certiorari allowed.

LXXII. 'And whereas Doubts have arisen whether the Provisions of an Act passed in the Third Year 'of the Reign of His Majesty King *George* the Third, intituled *An Act to prevent fraudulent and 'occasional Votes in Elections of Knights of the Shire, and of Members for Cities and Towns which are 'Counties of themselves, so far as relates to the Right of Voting by virtue of an Annuity or Rent-charge,* 'are still in force: And whereas the Provisions of the said Act have become unnecessary;' be it therefore enacted, That the said Act shall be and the same is hereby repealed. 3 G. 3. c. 24. repealed.

LXXIII. 'And whereas by the said first-recited Act it is enacted, that "every Male Person of full Age, 'and not subject to any legal Incapacity, who shall occupy as Tenant any Lands or Tenements for which 'he shall be *bonâ fide* liable to a yearly Rent of not less than Fifty Pounds, shall be entitled to vote in 'the Election of a Knight or Knights of the Shire to serve in any future Parliament for the County, or 'for the Riding, Parts, or Division of the County in which such Lands or Tenements shall be respectively 'situate:" And whereas it is also thereby enacted, that "no Person shall be so registered in any Year 'in respect of any Lands and Tenements held by him as such Occupier and Tenant as aforesaid unless he 'shall have been in the actual Possession thereof for Twelve Calendar Months next previous to the last 'Day of *July* in such Year;"' be it declared and enacted, That the Lands and Tenements in respect of the Occupation of which at a yearly Rent of not less than Fifty Pounds any Person shall be so entitled to be registered in any Year, and to vote in the Election of a Knight or Knights of the Shire as aforesaid, shall not be required to be the same Lands and Tenements, but may be different Lands and Tenements, rented and occupied as aforesaid in immediate Succession by such Person during the Twelve Calendar Months next previous to the last Day of *July* in such Year; and that where any such Lands and Tenements shall be jointly rented and occupied by more Persons than One, each of such joint Occupiers shall be entitled to be registered and vote in such Election as last aforesaid in respect of the Lands and Tenements so jointly rented and occupied, in case the yearly Rent for which they shall be *bonâ fide* liable in respect of such Lands and Tenements shall be of an Amount which, when divided by the Number of such Occupiers, shall give a *bonâ fide* Rent of not less than Fifty Pounds for each and every such Occupier, but not otherwise. Right of Voting in Counties by Occupiers of not less than 50*l.* Successive Occupation. Joint Occupiers may vote.

LXXIV. 'And whereas by the said first-recited Act it is enacted, "that no Person shall be allowed 'to have any Vote in the Election of a Knight or Knights of the Shire, for or by reason of any Trust 'Estate or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents 'and Profits of the same Estate, but that the Mortgagor or Cestuique Trust in Possession shall and may 'vote for the same, notwithstanding such Mortgage or Trust:" And whereas it is also thereby enacted, '"that no Person shall be registered in any Year in respect of his Estate or Interest in any Lands or 'Tenements as Freeholder, Copyholder, Customary Tenant, or Tenant in Ancient Demesne, unless he 'shall be in actual Possession or in Receipt of the Rents and Profits thereof to his own Use for Six 'Calendar Months at least previous to the last Day of *July* in such Year:" And whereas Doubts have 'arisen as to the true Intent and Meaning of the said first-mentioned Enactment in certain Cases;' be it therefore declared and enacted, That no Mortgagee of any Lands or Tenements shall have any Vote in the Election of a Knight or Knights of the Shire, or in the Election of a Member or Members to serve in any future Parliament for any City or Borough in which Freeholders now have a Right to vote, for or by reason of any Mortgage Estate therein, unless he be in the actual Possession or Receipt of the Rents and Profits thereof, but that the Mortgagor in actual Possession or in Receipt of the Rents and Profits thereof shall and may vote for the same, notwithstanding such Mortgage; and that no Trustee of any Lands or Tenements shall in any Case have a Right to vote in any such Election for or by reason of any Trust Estate therein, but that the Cestuique Trust in actual Possession or in the Receipt of the Rents and Profits thereof, though he may receive the same through the Hands of the Trustee, shall and may vote for the same, notwithstanding such Trust. Provision as to Trust and Mortgage Estates.

'LXXV. And whereas by the said first-recited Act it is enacted, that in every City or Borough which 'shall return a Member or Members to serve in any future Parliament, every Male Person of full Age, and 'not subject to any legal Incapacity, who shall occupy within such City or Borough, or within any Place 'sharing in the Election for such City or Borough, as Owner or Tenant, any House, Warehouse, Counting-'house, Shop, or other Building, being, either separately or jointly with any Land within such City, 'Borough, or Place, occupied therewith by him as Owner, or occupied therewith by him as Tenant under the 'same Landlord, of the clear yearly Value of not less than Ten Pounds, shall, if duly registered according 'to the Provisions therein-after contained, be entitled to vote in the Election of a Member or Members 'to serve in any future Parliament for such City or Borough; and it is also provided, that no such Person 'shall be so registered in any Year unless he shall have occupied such Premises as aforesaid for Twelve 'Calendar Months next previous to the last Day of *July* in such Year, nor unless such Person, where 'such Premises are situate in any Parish or Township in which there shall be a Rate for the Relief of 'the Poor, shall have been rated in respect of such Premises to all Rates for the Relief of the Poor in 'such Parish or Township made during the Time of such his Occupation so required as aforesaid, nor unless 'such Person shall have paid on or before the Twentieth Day of *July* in such Year all the Poor's Rates 'and Assessed Taxes which shall have become payable from him in respect of such Premises previously to Right of Voting in Boroughs by Occupiers of Houses, &c. of the annual Value of 10*l.* Not to vote unless rated to the Poor Rate.

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Counties, Cities, and Boroughs.

' the Sixth Day of *April* then next preceding: And whereas Doubts have arisen how far any Misnomer ' or inaccurate or insufficient Description in a Rate of the Person occupying any such Premises as in the said ' recited Act are mentioned, or any inaccurate Description of the Premises so occupied, has the Effect of pre- ' venting any such Person from being registered and entitled to vote in respect of such Premises in any Year;' be it therefore declared and enacted, That where any Person shall have occupied such Premises as in the said recited Act are mentioned for Twelve Calendar Months next previous to the last Day of *July* in any Year, and such Person being the Person liable to be rated for such Premises shall have been *bonâ fide* called upon to pay in respect of such Premises all Rates made for the Relief of the Poor in such Parish or Township during the Time of such his Occupation so required as aforesaid, and such Person shall have *bonâ fide* paid, on or before the Twentieth Day of *July* in such Year, all Sums of Money which he shall have been called upon to pay as Rates in respect of such Premises for One Year previously to the Sixth Day of *April* then next preceding, such Person shall be considered as having been rated and paid all Rates in respect of such Premises within the Meaning of the said recited Act, and be entitled to be registered in respect of the same in any Year, any Misnomer or inaccurate or insufficient Description in any Rate of the Person so occupying or of the Premises occupied notwithstanding.

Inaccurate Description in Rate not to prevent Persons being registered.

How Distances to be measured.

LXXVI. 'And whereas Doubts have arisen as to the Measurement of the Distance of Seven Statute ' Miles in the said first-recited Act mentioned and therein prescribed, as to the Residence of Voters for ' any City or Borough;' be it therefore declared and enacted, That the said Distance shall be understood to be the Distance of Seven Miles as measured in a straight Line on the horizontal Plane from the Point within any City or Borough or Place sharing in the Election therewith from which such Distance is to be measured, according to the Directions in that Behalf in the said Act: Provided always, that in Cases where there is now or shall hereafter be a Map of any City or Borough, and of the Country surrounding the same, drawn or published under the Authority and Direction of the principal Officers of Her Majesty's Ordnance, such Distance may be measured and determined by the said Map.

Freeholders in New Shoreham, Cricklade, &c., need not be assessed to Land Tax.

LXXVII. 'And whereas Doubts have arisen whether, in order to entitle any Person to vote for the ' Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury*, or *East Retford* respectively, in respect of any ' Freehold Messuages, Lands, or Tenements therein situate, it is necessary that the same should be ' assessed to the Land Tax;' be it therefore declared and enacted, That in order to entitle any Person to vote in any Election of Members to serve in Parliament in respect of any Freehold Messuages, Lands, or Tenements situate within the Borough of *New Shoreham*, *Cricklade*, *Aylesbury*, or *East Retford* respectively it shall not be necessary that the same shall be assessed to the Land Tax, any Statute to the contrary notwithstanding.

When certain Rights of Voting in Boroughs are retained.

LXXVIII. 'And whereas by the said first-recited Act it is enacted and provided, that every Person ' then having a Right to vote in the Election for any City or Borough in virtue of any other Qualification ' than as a Burgess or Freeman, or as a Freeman and Liveryman, or as a Freeholder or Burgage Tenant, ' as therein mentioned, shall retain such Right of Voting so long as he shall be qualified as an Elector, ' according to the Usages and Customs of such City or Borough, or any Law then in force, and that such ' Person shall be entitled to vote in the Election of a Member or Members to serve in Parliament for ' such City or Borough, if duly registered according to the Provisions in the said Act in that Behalf ' contained; and it is thereby further provided, nevertheless, that every such Person shall for ever cease ' to enjoy such Right of Voting for any such City or Borough as aforesaid if his Name shall have been ' omitted from the Register of such Voters under certain Circumstances therein and herein-after specified: ' And whereas Doubts have arisen as to the Intent and Meaning of the Words the "Register of such ' Voters" in such last-mentioned Provision;' be it therefore declared and enacted, That every such Person shall for ever cease to enjoy such Right of Voting in virtue of any other Qualification than as a Burgess or Freeman, or as a Freeman and Liveryman, or as a Freeholder or Burgage Tenant as aforesaid, if his Name shall for Two successive Years not have been inserted or appear in the Register of Voters for such City or Borough in respect of such other Qualification (notwithstanding the Name of such Person may appear in such Register for both or either of the same Two successive Years in respect of some Qualification of a different Nature), unless the Name of such Person in any such Year shall not have been inserted as aforesaid, or have been omitted by reason or in consequence of his having received Parochial Relief within Twelve Calendar Months next previous to the last Day of *July* in the same Year, or by reason or in consequence of his Absence on the Naval and Military Service of Her Majesty.

Register to be conclusive Evidence of the Voter's retaining the same Qualification.

Proviso.

LXXIX. And be it enacted, That at every future Election for a Member or Members to serve in Parliament for any County, City, or Borough, the Register of Voters so made as aforesaid shall be deemed and taken to be conclusive Evidence that the Persons therein named continue to have the Qualifications which are annexed to their Names respectively in the Register in force at such Election: Provided always, that it shall not be lawful for any Person to vote at any Election for a Member or Members for any County where the Qualification annexed to the Name of such Person shall have appeared annexed to his Name in the preceding Register, and such Person, on the last Day of *July* in the Year in which such Register so in force was formed, shall have ceased to have such Qualification, or shall not have retained so much thereof as would have entitled him to have had his Name inserted in such Register: Provided also, that no Person shall be entitled to vote at any future Election for a Member or Members to serve in Parliament for any City or Borough, unless he shall, ever since the Thirty-first Day of *July* in the Year in which his Name was inserted in the Register of Voters then in force, have resided and at the Time of voting shall continue to reside within the City or Borough, or Place sharing in the Election for the City

In Cities and Boroughs a continued Residence required to the Time of polling.

or

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or Borough, in the Election for which he shall claim to be entitled to vote, or within the Distance thereof required by the said recited Act to entitle such Person to be registered in any Year.

Clause as to putting Questions at the Poll repealed.

LXXX. 'And whereas by the said first-recited Act it is enacted, that certain Questions might be put to 'every Voter at the Time of his tendering his Vote in any Election: And whereas it is expedient that all 'the Provisions contained in the said recited Act touching and concerning the said Questions, and 'administering and taking of any Oath at the Time of polling, should be repealed, and other Provisions 'be enacted in lieu thereof;' be it therefore enacted, That the said Provisions shall be and the same are hereby repealed.

No Inquiry at Time of Election except as to Identity of the Voter, and whether he has already voted.

LXXXI. And be it enacted, That in all Elections whatever of a Member or Members to serve in Parliament for any County, Riding, Parts, or Division of a County, or for any City or Borough in *England* or *Wales*, or the Town of *Berwick-upon-Tweed*, no Inquiry shall be permitted at the Time of polling as to the Right of any Person to vote, except only as follows; (that is to say,) that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the Time of his tendering his Vote, and not afterwards, the following Questions, or either of them:

1. Are you the same Person whose Name appears as *A.B.* on the Register of Voters now in force for the County of [*or* for the Riding, Parts, *or* Division of the County of], *or* for the City [*or* Borough] of [*as the Case may be*]?
2. Have you already voted, either here or elsewhere, at this Election for the County of [*or* for the Riding, Parts, *or* Division of the County of], *or* for the City [*or* Borough] of [*as the Case may be*]?

And if any Person shall wilfully make a false Answer to either of the Questions aforesaid he shall be deemed guilty of a Misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that Purpose by Law appointed, shall, if required on behalf of any Candidate at the Time aforesaid, administer an Oath to any Voter in the following Form:

Oath to be taken, if required.

'YOU do swear [*or* affirm, *as the Case may be*], That you are the same Person whose Name appears 'as *A.B.* on the Register of Voters now in force for the County of *or* for 'the Riding, Parts, *or* Division of the County of 'or for the City *or* Borough of [*as the Case may be*], and that you have not before 'voted, either here or elsewhere, at the present Election for the County of [*or* for 'the Riding, Parts, *or* Division of the County of] 'or for the City *or* Borough of [*as the Case may be*]. So help you GOD.'

No other Oath to be taken.

LXXXII. And be it enacted, That, save as aforesaid, it shall not be lawful to require any Voter at any Election whatever of a Member or Members to serve in Parliament to take any Oath or Affirmation, either in Proof of his Freehold, or of his Residence, Age, or other Qualification or Right to vote, any Law or Statute, local or general, to the contrary notwithstanding; nor to reject any Vote tendered at such Election by any Person whose Name shall be upon the Register of Voters in force for the Time being, except by reason of its appearing to the Returning Officer or his Deputy, upon putting such Questions as aforesaid, or either of them, that the Person so claiming to vote is not the same Person whose Name appears on such Register as aforesaid, or that he had previously voted at the same Election, or except by reason of such Person refusing to answer the said Questions or either of them, or to take the said Oath, or make the said Affirmation, or to take or make the Oath or Affirmation against Bribery; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Vote given or tendered at any such Election; any Law, Statute, or Usage to the contrary notwithstanding.

No Scrutiny to be allowed.

Persons personating Voters to be guilty of Misdemeanor.

LXXXIII. And be it enacted, That if at any Election of a Member or Members to serve in Parliament for any County, City, or Borough any Person shall knowingly personate and falsely assume to vote in the Name of any other Person whose Name appears on the Register of Voters then in force for any such County, City, or Borough, whether such other Person shall then be living or dead, or if the Name of the said other Person be the Name of a fictitious Person, every such Person shall be guilty of a Misdemeanor, and on being convicted thereof shall be punished by Imprisonment for a Term not exceeding Two Years, together with hard Labour.

Aiders and Abettors to be punished as Principals.

LXXXIV. And be it enacted, That every Person who shall aid, abet, counsel, or procure the Commission of any such last-mentioned Misdemeanor, shall be liable to be indicted and punished as a principal Offender.

Agents may be appointed by Candidates to detect Personation at the Time of polling.

LXXXV. And for the more effectual Detection of the Personation of Voters at Elections, be it enacted, That it shall be lawful for any Candidate, at any Election of a Member or Members to serve in Parliament for any County, City, or Borough, previous to the Time fixed for taking the Poll at such Election, to nominate and appoint an Agent or Agents on his Behalf to attend at each or any of the Booths appointed for taking the Poll at such Election, for the Purpose of detecting Personation; and such Candidate shall give Notice in Writing to the Returning Officer, or his respective Deputy, of the Name and Address of the Person or Persons so appointed by him to act as Agents for such Purpose; and thereupon it shall be lawful for every such Agent to attend during the Time of polling at the Booth or Booths for which he shall have been so appointed.

Persons charged with Personation to be taken into Custody.

LXXXVI. And be it enacted, That if at the Time any Person tenders his Vote at such Election, or after he has voted, and before he leaves the Polling Booth, any such Agent so appointed as aforesaid shall declare to the Returning Officer, or his respective Deputy, presiding therein, that he verily believes, and undertakes

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undertakes to prove, that the said Person so voting is not in fact the Person in whose Name he assumes to vote, or to the like Effect, then and in every such Case it shall be lawful for the said Returning Officer, or his said Deputy, and he is hereby required, immediately after such Person shall have voted, by Word of Mouth to order any Constable or other Peace Officer to take the said Person so voting into his Custody, which said Order shall be a sufficient Warrant and Authority to the said Constable or Peace Officer for so doing: Provided always, that nothing herein contained shall be construed or taken to authorize any Returning Officer, or his Deputy, to reject the Vote of any Person who shall answer in the Affirmative the Questions authorized by this Act to be put to him at the Time of polling, and shall take the Oaths or make the Affirmations authorized and required of him; but the said Returning Officer, or his Deputy, shall cause the Words, "Protested against for Personation," to be placed against the Vote of the Person so charged with Personation when entered in the Poll Book.

Vote not to be rejected if Questions answered in the Affirmative.

Persons charged with Personation to be taken before Two Justices.

Bail to be taken in certain Cases.

LXXXVII. And be it enacted, That every such Constable or Peace Officer shall take the Person so in his Custody, at the earliest convenient Time, before some Two Justices of the Peace acting in and for the County, City, or Borough within which the said Person shall have so voted as aforesaid: Provided always, that in case the Attendance of Two such Justices as aforesaid cannot be procured within the Space of Three Hours after the Close of the Poll on the same Day on which such Person shall have been so taken into Custody, it shall be lawful for the said Constable or Peace Officer, and he is hereby required, at the Request of such Person so in his Custody, to take him before any One Justice of the Peace acting as aforesaid, and such Justice is hereby authorized and required to liberate such Person on his entering into a Recognizance, with One sufficient Surety, conditioned to appear before any Two such Justices as aforesaid, at a Time and Place to be specified in such Recognizance, to answer the said Charge; and if no such Justice shall be found within Four Hours after the closing of the said Poll then such Person shall forthwith be discharged from Custody: Provided also, that if in consequence of the Absence of such Justices as aforesaid, or for any other Cause, the said Charge cannot be inquired into within the Time aforesaid, it shall be lawful nevertheless for any Two such Justices as aforesaid to inquire into the same on the next or on some other subsequent Day, and, if necessary, to issue their Warrant for the Apprehension of the Person so charged.

If Justices are satisfied that the Person charged has been guilty of Personation, they are to commit him for Trial.

LXXXVIII. And be it enacted, That if on the hearing of the said Charge the said Two Justices shall be satisfied, upon the Evidence on Oath of not less than Two credible Witnesses, that the said Person so brought before them has knowingly personated and falsely assumed to vote in the Name of some other Person within the Meaning of this Act, and is not in fact the Person in whose Name he voted, then it shall be lawful for the said Two Justices to commit the said Offender to the Gaol of the County, City, or Borough within which the Offence was committed, to take his Trial according to Law, and to bind over the Witnesses in their respective Recognizances to appear and give Evidence on such Trial as in the Case of other Misdemeanors.

If Justices are satisfied that the Charge is unfounded, they are to order Compensation.

LXXXIX. And be it enacted, That if the said Justices shall on the hearing of the said Charge be satisfied that the said Person so charged with Personation is really and in Truth the Person in whose Name he voted, and that the Charge of Personation has been made against him without reasonable or just Cause, or if the Agent so declaring as aforesaid, or some one on his Behalf, shall not appear to support such Charge before the said Justices, then it shall be lawful for the said Justices and they are hereby required to make an Order in Writing under their Hands, on the said Agent so declaring as aforesaid, to pay to the said Person so falsely charged, if he shall consent to accept the same, any Sum not exceeding the Sum of Ten Pounds nor less than Five Pounds, by way of Damages and Costs; and if the said Sum shall not be paid within Twenty-four Hours after such Order shall have been made, then the same shall be levied, by Warrant under the Hand and Seal of any Justice of the Peace acting as aforesaid, by Distress and Sale of the Goods and Chattels of the said Agent; and in case no sufficient Goods or Chattels of the said Agent can be found on which such Levy can be made, then the same shall be levied in like Manner on the Goods and Chattels of the Candidate by whom such Agent was so appointed to act; and in case the said Sum shall not be paid or levied in the Manner aforesaid, then it shall be lawful for the said Person to whom the said Sum of Money was so ordered to be paid to recover the same from the said Agent or Candidate, with full Costs of Suit, in an Action of Debt to be brought in any One of Her Majesty's Superior Courts of Record at *Westminster:* Provided always, that if the Person so falsely charged shall have declared to the said Justices his Consent to accept such Sum as aforesaid by way of Damages and Costs, and if the whole Amount of the Sum so ordered to be paid shall have been paid or tendered to such Person, in every such Case, but not otherwise, the said Agent, Candidate, and every other Person shall be released from all Actions or other Proceedings, Civil or Criminal, for or in respect of the said Charge and Apprehension.

If Party falsely charged accepts Compensation, no Action to be brought.

Sheriffs and Returning Officers to provide Constables.

XC. And be it enacted, That it shall and may be lawful for the High Sheriff of any County, and for the Mayor or Returning Officer of any City or Borough, and he and they are hereby required, for the Purposes aforesaid, to provide a sufficient Attendance of Constables or Peace Officers in each Booth at the different Polling Places within their respective Counties, Cities, or Boroughs.

Duty of Returning Officer where Vote has been received, and another Party tenders in respect of same Qualification.

XCI. And be it enacted, That in case the Vote of any Person shall have been received, and any other Person shall afterwards tender his Vote as being registered in respect of the same Qualification, stating at the Time the Name or Names of the Candidate or Candidates for whom he tenders such Vote, the Returning Officer, or his Deputy, shall enter upon the Poll Book every Vote so tendered, distinguishing the same from the Votes admitted and allowed at such Election; provided such Person shall duly answer the Questions herein-before authorized to be put to any Voter at the Time of tendering his Vote.

XCII. And

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Liverymen of London to poll in the Guildhall.

XCII. And be it enacted, That in the City of *London* the Returning Officer or Officers shall take the Poll or Votes of such Freemen of the said City, being Liverymen of the several Companies, as are entitled to vote at such Election, in the Guildhall of the said City, and shall not be required to provide for them any Booth or Compartment, but shall take One Poll for the whole Number of such Liverymen at the same Place.

For providing for the safe Custody of Poll Books.

XCIII. 'And whereas it is enacted by the said first-recited Act, that at every contested Election for any 'County, Riding, or Division of a County, City, or Borough in *England*, except the Borough of *Monmouth*, 'the Sheriff, Under Sheriff, or Returning Officer should, on the Day therein mentioned, after the Close of 'the Poll, openly break the Seals on the several Poll Books, and cast up the Number of Votes as they 'appear on the said several Books, and openly declare the State of the Poll, and make Proclamation of 'the Member or Members chosen, not later than the Time therein mentioned: And whereas no adequate 'Provision has been made for the safe Custody and Production of the said Poll Books subsequent to 'such Declaration of the Poll and Proclamation of the Members chosen at any contested Election, in 'consequence whereof great Mischief and Expence have arisen in Cases of disputed Returns of Members 'to serve in Parliament;' be it therefore enacted, That at every contested Election of a Member or Members to serve in Parliament for any County, Riding, Parts, or Division of a County, or for any City or Borough in *England* or *Wales*, or for the Town of *Berwick-upon-Tweed*, the Sheriff, Under Sheriff, or Returning Officer, after having declared the State of the Poll, and made Proclamation of the Member or Members chosen to serve in Parliament in the Manner provided for by the said herein-before in part recited Act, shall forthwith enclose and seal up the several Poll Books, and tender the same to each of the Candidates, to be sealed by them respectively; and in case any Candidates shall neglect or refuse to seal the same, the Sheriff, Under Sheriff, or Returning Officer shall thereupon endorse on One of the said Poll Books the Fact of such Neglect or Refusal; and every such Sheriff, Under Sheriff, or other Returning Officer shall, by himself or his Agent, as soon as possible after such Proclamation as aforesaid, deliver the same Poll Books, so sealed as aforesaid, to the Clerk of the Crown in the High Court of Chancery, or his Deputy, or deliver the same, directed to the said Clerk of the Crown, to the Postmaster or Deputy Postmaster of the City, Town, or Place wherein such Proclamation shall have been made as aforesaid, who on Receipt thereof shall give an Acknowledgment in Writing of such Receipt to such Sheriff, Under Sheriff, or Returning Officer, expressing therein the Time of such Delivery, and shall keep a Duplicate of such Acknowledgment, signed by such Sheriff, Under Sheriff, or Returning Officer; and the said Postmaster or Deputy Postmaster shall despatch all such Poll Books, so sealed and directed as aforesaid, by the first Post or Mail after the Receipt thereof, to the General Post Office in *London*; and the Postmaster or Postmasters General are hereby directed, immediately on Receipt of such Poll Books, to convey the same to the Crown Office, and to deliver the same there, so sealed as aforesaid, to the said Clerk of the Crown or his Deputy; and the said Clerk of the Crown or his Deputy is hereby required to give to such Postmaster or Postmasters General, Sheriff, Under Sheriff, Returning Officer or Agent delivering the same, a Memorandum in Writing, acknowledging the Receipt of such Poll Books, and setting forth the Day and Hour when the same were delivered at the Crown Office; and the said Clerk of the Crown or his Deputy is hereby required, immediately on Receipt of such Poll Books, to register the same in the Books of the said Crown Office, and to endorse thereon the Day and Hour upon which he received the same; and every such Sheriff, Under Sheriff, or Returning Officer is hereby required, at the Time of transmitting such Poll Books as aforesaid through the Post Office, to address and forward a Letter by the same Post or Mail to the said Clerk of the Crown, informing him of such Transmission, and giving the Number and Description of such Poll Books so transmitted.

Office Copies o Poll Books to be received in Evidence.

XCIV. And be it enacted, That Office Copies, issued by the said Clerk of the Crown or his Deputy, of such Poll Books, shall be taken in Evidence in all Courts of Law, in Actions for Bribery or Personation, or for any other Purpose whatsoever.

Clerk of the Crown to preserve Poll Books, &c.;

XCV. And be it enacted, That the said Clerk of the Crown shall keep and preserve the said several Poll Books, and shall deliver to any Party applying for the same an Office Copy of all or any Part of such Poll Books, on Payment of a reasonable Charge for writing the same, and shall also permit any Party to inspect such Poll Books.

and to produce them before Election Committee, if required.

XCVI. And be it enacted, That the said Clerk of the Crown shall, upon receiving a Warrant, signed by the Chairman of any Committee of the House of Commons appointed for the Trial of controverted Elections, produce, by himself or his Agent, before such Committee, the said several Books so deposited with him as aforesaid, and such Production shall be sufficient *primâ facie* Proof of the Authenticity of the said Poll Books.

Parties wilfully contravening the Act liable to an Action for Debt.

XCVII. And be it enacted, That every Sheriff, Under Sheriff, Clerk of the Peace, Town Clerk, Secondary, Returning Officer, Clerk of the Crown, Postmaster, Overseer, or other Person, or public Officer, required by this Act to do any Matter or Thing, shall for every wilful Misfeasance, or wilful Act of Commission or Omission contrary to this Act, forfeit to any Party aggrieved the penal Sum of One hundred Pounds, or such less Sum as the Jury before whom may be tried any Action to be brought for the Recovery of the before-mentioned Sum shall consider just to be paid to such Party, to be recovered by such Party, with full Costs of Suit, by Action for Debt in any of Her Majesty's Superior Courts at *Westminster*: Provided always, that nothing herein contained shall be construed to supersede any Remedy or Action against any Returning Officer according to any Law now in force.

Power to Committees on Election Petitions

XCVIII. 'And whereas in and by the said first-recited Act it is provided, that upon Petition to the 'House of Commons, complaining of an undue Election or Return of any Member or Members to serve 'in

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to decide as to Right of Voting.

' in Parliament, any Petitioner, or any Person defending such Election or Return, shall be at liberty to ' impeach the Correctness of the Register of Voters in force at the Time of such Election, by proving ' that in consequence of the Decision of the Barrister who shall have revised the Lists of Voters from ' which such Register shall have been formed the Name of any Person who voted at such Election was ' improperly inserted or retained in such Register, or the Name of any Person who tendered his Vote at ' such Election improperly omitted from such Register, and the Select Committee appointed for the Trial ' of such Petition shall alter the Poll taken at such Election according to the Truth of the Case, and shall ' report their Determination thereupon to the House, and the House shall thereupon carry such Determi-' nation into effect, and the Return shall be amended or the Election declared void, as the Case may be, ' and the Register corrected accordingly, or such other Order shall be made as to the House shall seem ' proper: And whereas Doubts have arisen as to the true Intent and Meaning of the said Enactment with ' respect to the Power and Authority of any such Committee to inquire into the Validity or Invalidity of ' the Vote of any Person being on the Register of Voters in force at the Time of such Election;' be it therefore declared and enacted, That it shall and may be lawful for any such Committee to inquire into and decide upon the Right to vote of any Person who, being upon the Register of Voters in force at the Time of such Election, shall have voted in such Election, or not being upon such Register shall have tendered his Vote at such Election, in case the Name of such Person shall have been specially retained upon such Register, or inserted therein, or expunged or omitted therefrom, by the express Decision of the Revising Barrister who shall have revised the Lists of Voters from which such Register shall have been formed; and also that it shall and may be lawful for such Committee to inquire into and decide upon the Right to vote of any Person who, being upon such Register, shall have voted in such Election, so far as the same may be disputed on the Ground of legal Incapacity at the Time of his voting under and by virtue of any Statute now or hereafter to be in force, or on the Ground of any other legal Incapacity at the Time of his voting which may have arisen subsequently to the Expiration of the Time allowed for making out the List of Voters from which the Register of Voters in force at the Time of such Election shall have been formed; but that, except in such Cases or on such Grounds as aforesaid, the Register of Voters in force at the Time of such Election shall, so far as regards the Proceedings before such Committee, be final and conclusive to all Intents and Purposes as to the Right to vote in such Election of every Person who shall be upon such Register.

Where no Returning Officer in Cities or Boroughs, Sheriff may act as Returning Officer.

XCIX. ' And whereas it may happen that on the Receipt of any Writ by any Sheriff or Sheriffs for an ' Election of a Member or Members to serve in Parliament for any City or Borough the Situation of ' Returning Officer may be vacant;' be it enacted, That in Case it shall be lawful for the Sheriff or Sheriffs whose Business it may be to direct the Precept for the Return of a Member or Members to serve in Parliament for any such City or Borough, by himself or themselves, or by his or their Deputy, to act as Returning Officer for such City or Borough.

Notice of Objection may be sent by the Post.

C. And be it enacted, That it shall be sufficient, in every Case of Notice to any Person objected to in any List of County, City, or Borough Voters, and in the Livery List of the City of *London*, and also in the Case of County Voters to the occupying Tenant whose Name and Place of Abode appears in such respective List as aforesaid, if the Notice so required to be given as aforesaid shall be sent by the Post, free of Postage, or the Sum chargeable as Postage for the same being first paid, directed to the Person to whom the same shall be sent, at his Place of Abode as described in the said List of Voters; and whenever any Person shall be desirous of sending any such Notice of Objection by the Post, he shall deliver the same, duly directed, open and in duplicate, to the Postmaster of any Post Office where Money Orders are received or paid, within such Hours as shall have been previously given Notice of at such Post Office, and under such Regulations with respect to the Registration of such Letters, and the Fee to be paid for such Registration (which Fee shall in no Case exceed Two-pence over and above the ordinary Rate of Postage), as shall from Time to Time be made by the Postmaster General in that Behalf; and in all Cases in which such Fee shall have been duly paid the Postmaster shall compare the said Notice and the Duplicate, and, on being satisfied that they are alike in their Address and in their Contents, shall forward one of them to its Address by the Post, and shall return the other to the Party bringing the same, duly stamped with the Stamp of the said Post Office; and the Production by the Party who posted such Notice of such stamped Duplicate shall be Evidence of the Notice having been given to the Person at the Place mentioned in such Duplicate on the Day on which such Notice would in the ordinary Course of Post have been delivered at such Place: Provided also, that if no Place of Abode of the Person objected to shall be described in the said List, or if such Place of Abode shall be situate out of the United Kingdom, then it shall be sufficient if Notice shall be given to the said Overseers, and to such occupying Tenant as aforesaid (if any) in the Case of a County Voter, or, in the Case of a City or Borough Voter, to the Overseers or to the Town Clerk, or, in the Case of a Liveryman of the City of *London*, to the Secondaries and Clerk of the particular Company to which the Person objected to shall belong, as is in each of the said Cases herein-before required.

Interpretation Clause.
Meaning of " County:"
" City or Borough:"

CI. And be it enacted, That throughout this Act, in the Construction thereof, except there be something in the Subject or Context inconsistent with or repugnant to such Construction, the Word " County " shall extend to and mean any County, Riding, Parts or Division of a County, respectively returning a Knight or Knights of the Shire to serve in Parliament; and the Words " City or Borough " shall extend to and mean any City, Borough, Town Corporate, Cinque Port, District, or Place within *England* and *Wales* returning a Member or Members to serve in Parliament, other than Counties at large, and Ridings, Parts, and Divisions of Counties at large, and to every Place sharing in the Election of a Member for any City

or

or Borough, and shall also include the Town of *Berwick upon-Tweed;* that the Words "Clerk of the Peace" shall comprehend and apply to any Deputy or other Person executing the Duties of such Clerk of the Peace; and the Words "Town Clerk" shall, except in regard to the Cities of *London* and *Westminster* and the Borough of *Southwark*, extend to and mean any Person executing the Duties of Town Clerk, or if in any City or Borough there shall be no such Officer as Town Clerk, then to any Officer executing the same or like Duties as usually devolve upon the Town Clerk, or if in any City or Borough there be no such Person, then to the Returning Officer of such City or Borough, or to such Person as the Returning Officer may appoint for that Purpose, which he is hereby authorized to do; and the Words "Barrister" or "Barristers" shall respectively be taken to include a Serjeant or Serjeants-at-Law; and the Words "Returning Officer" shall apply to every Person or Persons to whom by virtue of his or their Office, under any Law, Custom, or Statute, the Execution of any Writ or Precept doth or shall belong for the Election of a Member or Members to serve in Parliament, by whatever Name or Title such Person or Persons may be called; and the Words "Parish or Township" shall extend to and mean every Parish, Township, Village, Hamlet, District, or Place maintaining its own Poor; and the Words "Overseers" or "Overseers of the Poor" shall extend to and mean all Persons who by virtue of any Office or Appointment shall execute the Duties of Overseers of the Poor, by whatever Name or Title such Persons may be called, and in whatsoever Manner they may be appointed, and that all Matters by this Act directed to be done by the Overseers of a Parish or Township may be lawfully done by the major Part of such Overseers; and that wherever any Notice is by this Act required to be given or sent to the Overseers of any Parish or Township, it shall be sufficient if such Notice shall be delivered to any One of such Overseers, or shall be left at his Place of Abode, or at his Office or other Place for transacting parochial Business, or shall be sent by the Post free of Postage, or the Postage thereof being first paid, addressed to the Overseers of the particular Parish or Township, naming the Parish or Township, and the County, City, or Borough respectively, to which the Notice to be so sent may relate, without adding any Place of Abode of such Overseers; and that wherever by this Act any Notice is required to be given or sent to any Person or Persons whatsoever, or public Officer, it shall be sufficient if such Notice be sent by the Post in the Manner and subject to the Regulations herein-before provided with respect to sending Notices of Objection by the Post, free of Postage or the Postage thereof being first paid, addressed with a sufficient Direction to the Person or Persons to whom the same ought to be given or sent, at his or their usual Place of Abode; and that all Provisions in this Act relative to any Matters to be done by or with regard to Justices of the Peace for Counties, or Sessions of the Peace for Counties, or Clerks of the Peace for Counties, or Treasurers of Counties, shall extend to the Justices, Sessions, Clerks of the Peace, and Treasurers of the several Ridings of *Yorkshire* and Parts of *Lincolnshire;* and that the Town Clerk for the Time being for the Borough of *Newport* in the *Isle of Wight* shall for the Purposes of this Act be deemed and taken to be the Clerk of the Peace for the County of the *Isle of Wight;* and that all the said respective Justices, Sessions, and Clerks of the Peace shall have Power to do the several Matters required by this Act, as well within Places of exclusive Jurisdiction as without; and that no Misnomer or inaccurate Description of any Person, Place, or Thing named or described in any Schedule to this Act annexed, or in any List or Register of Voters, or in any Notice required by this Act, shall in anywise prevent or abridge the Operation of this Act with respect to such Person, Place, or Thing, provided that such Person, Place, or Thing shall be so denominated in such Schedule, List, Register, or Notice as to be commonly understood; and that the Word "Oath" shall include Affirmation, where by Law such Affirmation is required or allowed to be taken in place of an Oath; and where the Subject or Context requires it, every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things.

"Clerk of the Peace:"
"Town Clerk:"
"Barrister:"
"Returning Officer:"
"Parish or Township:"
"Overseers" or "Overseers of the Poor."
Provision as to Service of Notices.
Justices, Sessions, Clerks of the Peace, and Treasurers of Counties.
Misnomer not to vitiate.
"Oath."
Singular.
Plural.

CII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Schedule (A.)

FORMS FOR COUNTIES.

No. 1.

PRECEPT of the CLERK of the PEACE to the OVERSEERS.

County of to wit. } To the Overseers of the Poor of the Parish of [*or* of the Township of].

IN pursuance of the Provisions of the Act of Parliament of Victoria, c. ., I require your Attention to the following

INSTRUCTIONS:—

On or before the Twentieth Day of June you are to publish a Notice, signed by you, according to the Form marked No. 2., among the printed Forms herewith sent.

The Manner in which you are required to publish that Notice is as follows; (that is to say,) you are to fix One of the printed Copies (each Copy being first signed by you) on or near the Outside of the outer

Schedule (A.) continued.

Door or of the outer Wall near the Door of every Church and public Chapel in your Parish or Township, including Chapels which do not belong to the Established Church, or if there should be no such Church or Chapel, then in some public or conspicuous Situation in your Parish [*or* Township], and it must remain there during a Period including Two Sundays at least.

On or before the last Day of July you are to make out an alphabetical List of all Persons who, on or before the Twentieth Day of July, shall have delivered or sent to you their Claims as Voters for the County [Riding, *&c.*] in which your Parish [*or* Township] lies, in respect of any Property situate wholly or in part within your Parish [*or* Township]; and in making out such List you are to write or cause to be written, in the proper Column of the printed Form of List (herewith sent) numbered 3., the Christian Name and Surname of every such Person, with the Place of his Abode, the Nature of his Qualification, and the local or other Description of the Property, and the Name of the Occupier, accordingly as the same shall be stated in the Claim. If you have reasonable Cause to believe that any Person so claiming, or any Person whose Name shall appear in the Copy of the Register for your Parish [*or* Township] herewith sent, is not entitled to have his Name on the new Register about to be made, you are to add the Word "Objected" before his Name in the Margin of the Copy of the Register or List in which his Name appears; and you are also to add the Word "Dead" before the Name of any Person whom you shall have reasonable Cause to believe to be dead. Having done this, you are to sign the List of Claimants, and also the Copy of the Register herewith sent, and to cause a sufficient Number of Copies of such Register and Lists with your marginal Additions to be written or printed, and then, on or before the First Day of August, you are to publish the said Lists on every Church and Chapel in your Parish [*or* Township] in the same Manner as before mentioned with regard to the Notice.

You are to keep a Copy of the List of Claimants and of the said Register sent to you, with your marginal Additions thereon, signed by you, and to allow them to be perused by every Person desirous of perusing them, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days after you have published them, without Payment or Demand of any Fee; and you are also to deliver Copies of the List of Claimants and of the said Register, signed by you, to every Person applying for the same, on Payment of a Price for such Copy after the Rate contained in the Table marked Schedule (D.) No. 1., herewith sent.

You are to make out a List, according to the Form numbered 6. (herewith sent), containing the Name of every Person against whom a Notice of Objection shall have been given to you or any one of you, on or before the Twenty-fifth Day of August; and you are to publish Copies of such Lists on or before the First Day of September on every Church and Chapel in your Parish or Township, in the same Manner as before mentioned with regard to the Notice; and you are to keep a Copy of such List of Persons objected to, to be perused by any Person, without Payment or Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days of September, both inclusive; and you are to deliver a Copy of such List to any Person requiring the same, on Payment of a Price for such Copy after the Rate contained in the Table marked Schedule (D.) No. 1., herewith sent.

And if you shall find any such Notice, List, Register, or other Document published by you as aforesaid to be destroyed, mutilated, defaced, or removed, you are forthwith to place another to the same Effect in its Place.

On or before the Twenty-ninth Day of August you are to deliver to the Clerk of the Peace of the County [Riding, *&c.*] wherein your Parish [*or* Township] is situate, the List of Claimants, the Copy of the Part of the Register (herewith sent), and also a Copy of the List of Persons objected to, signed by you.

You are to attend the Court to be holden by the Barrister appointed to revise the Lists relating to your Parish [*or* Township], of the Time and Place of holding which Notice will be sent to you; and you are there to deliver to the Barrister holding such Court the original Notices of Claim and original Notices of Objection given to you as aforesaid.

Herein if you fail you will be liable to the Penalties in that Case provided. Given under my Hand, this Day of

Clerk of the Peace for the County of

No. 2.

NOTICE to be given by the OVERSEERS.

WE hereby give Notice, That all Persons entitled to vote in the Election of a Knight or Knights of the Shire for the County [*or* for the Riding, *&c.*] of in respect of any Property situate wholly or in part within this Parish [*or* Township], who are not upon the Register of Voters now in force, or who, being upon the Register, shall not retain the same Qualification or continue in the same Place of Abode as described in such Register, and who are desirous to have their Names inserted in the Register of Voters about to be made for the said County [*or* Riding, *&c.*], are hereby required to give or send to us or any of us, on or before the Twentieth Day of July in this Year, a Notice in Writing by them signed, in which their Name and Surname at full Length, their Place of Abode, and the Particulars of their Qualification, must be legibly written, according to the Form hereunder set forth. Any Person who is upon the present Register

Register may also make his Claim, if he thinks fit; but it is not necessary that he should do so if he has the same Qualification and Place of Abode now described in the Register. *Schedule (A.) continued.*

Dated this Day of June in the Year

(Signed) *A.B.* *C.D.* *E.F.* } Overseers of the Parish [*or* Township] of

FORM of NOTICE of CLAIM to be given to OVERSEERS.

To the Overseers of the Parish of [*or* Township of].

I HEREBY give you Notice, That I claim to be inserted in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of , *as the Case may be*], and that the Particulars of my Place of Abode and Qualification are stated in the Columns below.

Dated the Day of in the Year

(Signed) *G.H.*

Christian Name and Surname of the Claimant at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [*or* Township], and Number of House (if any), where the Property is situate, or Name of the Property, if known by any, or Name of the occupying Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

No. 3.

County of Riding, Parts, or Division of the County of [*or the case may be.*] to wit, [*or* , *as*] THE LIST of PERSONS claiming to be entitled to vote in the Election of a Knight [*or* Knights] of the Shire for the County of [*or* for the Riding, Parts, *or* Division of the County of , *as the Case may be*], in respect of Property situate in whole or in part within the Parish of [*or* Township, *as the Case may be*].

Margin for entering Overseers Objections.	Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [*or* Township], and Number of House (if any), where the Property is situate, or Name of the Property, and the Name of the Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

(Signed) *A.B.* *C.D.* *E.F.* } Overseers of the said Parish [*or* Township].

No. 4.

NOTICE of OBJECTION to be given to the OVERSEERS.

To the Overseers of the Parish [*or* Township, *as the Case may be,*] of

I HEREBY give you Notice, That I object to the Name of the Person mentioned and described below being retained in the List of Voters for the County [*or* for the Riding, Parts, *or* Division of the County] of

Christian and Surname of the Voter objected to, as described in the List or Register.	Place of Abode as described.	Nature of Qualification as described.	Street, Lane, or other like Place where the qualifying Property is situate, &c. as described in the List or Register.

Dated the Day of in the Year

(Signed) *A.B.*
[*Place of Abode.*]

Schedule (A.) continued.

No. 5.

NOTICE of OBJECTION to be given to Parties objected to by any Person other than OVERSEERS, and to the occupying Tenant of the qualifying Property.

To Mr. of [*Here insert the Name and Place of Abode of the Person objected to as described in the List; and in the Case of Notice to the Tenant of the qualifying Property insert his Name and Place of Abode as described in the List.*]

TAKE notice, That I object to your Name [*in the Notice to the Tenant, instead of the Words* "your Name," *insert the Name of the Person objected to*] being retained in the [*here insert the Name of the Parish*] List of Voters for the County of [*or* for the Riding, *&c.*]

Dated this Day of One thousand eight hundred and .

(Signed) *A.B.* of [*Place of Abode*], on the Register of Voters for the Parish of .

No. 6.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of].

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or* Township], and Number of House (if any), where the Property is situate, or Name of the Property, and the Name of the Tenant; or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

(Signed) *A.B.*, *C.D.*, *E.F.* Overseers of the Parish of [*or* Township, *as the Case may be*].

Schedule (B.)

SCHEDULE (B.)

FORMS FOR CITIES AND BOROUGHS.

No. 1.

PRECEPT of the TOWN CLERK to the OVERSEERS.

City [*or* Borough] of in the County of *or* Riding, *&c.* to wit. } To the Overseers of the Poor of the Parish of [*or* to the Overseers of the Poor of the Township of].

IN pursuance of the Provisions of the Act of Parliament of the Vict. c. ., I require your Attention to the following

INSTRUCTIONS:—

On or before the Twentieth Day of June you are to publish a Notice, signed by you, according to the Form marked No. 2. among the printed Forms herewith sent.

The Manner in which you are required to publish that Notice is as follows; (that is to say,) you are to fix one of the printed Copies (each Copy being first signed by you) on or near the Outside of the outer Door or of the outer Wall near the Door of every Church and public Chapel in your Parish [*or* Township], including Chapels which do not belong to the Established Church, or if there should be no such Church or Chapel, then in some public and conspicuous Situation in your Parish [*or* Township], and it must remain there during a Period including Two Sundays at least.

On or before the last Day of July you are to make out an alphabetical List of all Persons who may be entitled to vote in the Election of a Member [*or* Members] to serve in Parliament for this City [*or* Borough], in respect of the Occupation of Premises of the clear yearly Value of Ten Pounds, situate wholly or in part within your Parish [*or* Township], and another alphabetical List of all other Persons (except Freemen) who may be entitled to vote in the Election for this City [*or* Borough] by virtue of any other Right whatsoever; and in making out each of the said Lists you must write or cause to be written the Christian Name and Surname of every such Person at full Length, together with the Place of his Abode and the Nature of his Qualification; and when the Qualification of any Person shall be in respect of any Property, you must state the Name of the Street, Lane, and Number of the House, if any, or other Description of the Place where such Property may be situate.

And on or before the First Day of August you are to publish written or printed Copies of the said Lists, signed by you, on every Church or Chapel in your Parish [*or* Township], in the same Manner as before mentioned with regard to the Notice.

You

Schedule (B.) continued.

You are to keep also a Copy of such Lists, signed by you, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days after the said Lists shall have been published.

You are to make out a List, according to the Form numbered 8., containing the Name of every Person who shall have given or have caused to be given to you or any one of you, on or before the Twenty-fifth Day of August, his Claim to have his Name inserted in any List of your Parish [*or* Township], and also another List, according to the Form numbered 12., containing the Name of every Person against whom a Notice of Objection shall have been given to you or any one of you, on or before the Twenty-fifth Day of August, as not being entitled to have his Name retained in any List for your City [*or* Borough]; and on or before the First Day of September you are to sign and publish each of such Lists on every Church or Chapel in your Parish [*or* Township], in the same Manner as before mentioned with regard to the Notice.

You are to keep a Copy of these Lists, signed by you, and you are to allow the same, and also the Notices of Objection, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days of September, both inclusive; and you are to deliver a Copy of each of such Lists to any Person requiring the same, on the Payment of a Price for each Copy after the Rate contained in the Table marked Schedule (D.) No. 1., herewith sent.

If you shall find any such Notice, List, Register, or other Document published by you as aforesaid to be destroyed, mutilated, effaced, or removed, you are forthwith to place another in its Room to the same Effect.

On or before the Twenty-ninth Day of August you are to deliver to me a Copy of the List of Voters, a Copy of the List of Claimants, and a Copy of the List of Persons objected to, so respectively made out and signed by you as aforesaid.

You are to attend the Court to be holden for the Revision of the List of Voters for your City [*or* Borough], of the Time of holding which Notice will be given; and at the opening of such Court you are there to deliver to the Barrister before whom the same shall be holden the several Lists made out by you, and signed by you, and the original Notices of Objection and the original Notice of Claims given to you.

Herein if you fail you will be liable to the Penalties in that Case provided.

Given under my Hand, this Day of One thousand eight hundred .

(Signed) *A.B.*
Town Clerk for the said Borough.

No. 2.

NOTICE to be given by the OVERSEERS.

City [*or* Borough] of in the County of to wit. } WE hereby give Notice, That no Person will be entitled to have his Name inserted in any List of Voters for this City [*or* Borough], now about to be made, in respect of the Occupation of Premises of the clear yearly Value of Ten Pounds, whether situate wholly or in part within this Parish [*or* Township], unless he shall pay, on or before the Twentieth Day of July, all the Poor's Rates and Assessed Taxes which have become due from him in respect of such Premises during the Twelve Calendar Months next before the Sixth Day of April last past; and all Persons who omit to make such Payments will be incapable of being upon the next Register of Voters for this City or Borough.

Dated this Day of June in the Year One thousand eight hundred

(Signed) *A.B.*, *C.D.*, *E.F.* } Overseers of the Parish [*or* Township] of

No. 3.

THE LIST of PERSONS entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of in respect of Property occupied within the Parish [*or* Township] of by virtue of an Act passed in the Second Year of the Reign of King William the Fourth, intituled "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [*or* Township], and Number of House (if any), where the Property is situated.

(Signed) *A.B.*, *C.D.*, *E.F.* } Overseers of the Parish [*or* Township] of

Schedule (B.) continued.

No. 4.

THE LIST of all PERSONS (not being Freemen) entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of in respect of any Rights other than those conferred by an Act passed in the Second Year of the Reign of King William the Fourth, intituled "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate, and Number of the House (if any). [*When the Right of Voting depends on Property.*]

(Signed) *A.B.*, *C.D.*, *E.F.* Overseers of the Parish of [*or* Township] within the City [*or* Borough] of

No. 5.

LIST of FREEMEN to be published by the TOWN CLERK.

THE List of Freemen of the City [*or* Borough] of [*or* of], being a Place sharing in the Election with the City [*or* Borough] of entitled to vote in the Election of a Member [*or* Members] for the said City [*or* Borough].

Christian Name and Surname of each Freeman at full Length.	Place of his Abode.

No. 6.

NOTICE of CLAIM.

To the Overseers of the Parish [*or* Township] of .

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of and that the Particulars of my Qualification and Place of Abode are stated in the Columns below.

Dated the Day of One thousand eight hundred

Christian Name and Surname of the Claimant at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in the Parish [*or* Township] where the Property is situate, and Number of the House (if any). [*When the Right depends on Property.*]

(Signed) *J.D.*

No. 7.

NOTICE of CLAIM by FREEMEN to be given to the TOWN CLERK.

To the Town Clerk of the City [*or* Borough] of .

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled as Freemen to vote in the Election of a Member [*or* Members] to serve in Parliament for the City [*or* Borough] of and that my Qualification is as Freeman of and that I reside in Street, in this City [*or* Borough, *or, as the Case may be*]. Dated this Day of One thousand eight hundred and .

(Signed) *J.D.*

Schedule (B.) continued.

No. 8.

LIST of CLAIMANTS to be published by the OVERSEERS.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of .

Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate, and Number of the House (if any). [*When the Right depends on Property.*]

(Signed) *A.B.*, *C.D.*, *E.F.* } Overseers of, *&c.*

No. 9.

LIST of CLAIMANTS to be published by the TOWN CLERK.

THE following Persons claim to have their Names inserted in the List of the Freemen of the City [*or* Borough] of [*or* of], being a Place sharing in the Election with the City [*or* Borough] of], entitled to vote in the Election of a Member [*or* Members] for the said City [*or* Borough].

Christian Name and Surname of each Person, as in the Claim.	Place of his Abode.

No. 10.

NOTICE of OBJECTION.

To the Overseers of the Parish [*or* Township] of [*or* to the Town Clerk of the City [*or* Borough] of [*or otherwise, as the Case may be*].

I HEREBY give you Notice, That I object to the Name of being retained in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of . Dated this Day of .

(Signed) *A.B.* of [*Place of Abode*], on the List of Voters for the Parish of .

Note.—If more than One List of Voters, the Notice of Objection should specify the List to which the Objection refers; and if the List contains Two or more Persons of the same Name, the Notice should distinguish the Person intended to be objected to.

No. 11.

FORM of NOTICE of OBJECTION to be given to PARTIES objected to.

To Mr. .

I HEREBY give you Notice, That I object to your Name being retained on the List of Persons entitled to vote in the Election of Members [*or* a Member] for the City [*or* Borough] of . Dated this Day of .

(Signed) *A.B.* of [*Place of Abode*], on the List of Voters for the Parish of .

Schedule (B.) continued.

No. 12.

LIST of PERSONS objected to, to be published by the OVERSEERS.

THE following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of .

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other Place in the Parish where the Property is situate, and Number of the House (if any). [*When the Right depends on Property.*]

(Signed) *A.B.*, *C.D.*, *E.F.* } Overseers of, *&c.*

No. 13.

THE LIST of PERSONS objected to, to be published by the TOWN CLERKS.

THE following Persons have been objected to as not being entitled to have their Names retained on the List of the Freemen of the City [*or* Borough] of [*or* of being a Place sharing in the Election with the City [*or* Borough] of], entitled to vote in the Election of a Member [*or* Members] for the said City [*or* Borough].

Christian and Surname of each Person objected to.	Place of his Abode.

(Signed) *A.B.* { Town Clerk of the said City [*or* Borough *or* Place].

Schedule (C.)

SCHEDULE (C.)

FORMS FOR THE CITY OF LONDON.

No. 1.

A LIST of such of the Freemen of London as are Liverymen of the Company of entitled to vote in the Election of Members for the City of London.

Christian Name and Surname of the Voter at full Length.	Street, Lane, or other Description of his Place of Abode.

(Signed) *A.B.* Clerk.

No. 2.

NOTICE of CLAIM to be given to the SECONDARIES of the City of London, and to the CLERKS of the respective Livery Companies.

To the Secondaries of the City of London [*or* to the Clerk of the Company of].

I HEREBY give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say,* made by you] of the Liverymen of the said Company, [*or, in case of Notice to the Clerk, say,* of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of London.

Dated the Day of

(Signed) *A.B.* { [*Place of Abode.* / *Name of Company.*]

Schedule (C.) continued.

No. 3.

LIST of CLAIMANTS to be published by the SECONDARIES of the City of London.

THE following Persons claim to have their Names inserted in the List of Persons entitled to vote, as Freemen of the City of London and Liverymen of the several Companies herein specified, in the Election of Members for the City of London.

Christian Name and Surname of Claimants, as in the Claim.	Place of Abode.	Name of the Company.

Dated the Day of

(Signed) *A.B.* } Secondaries of the
C.D. } City of London.

No. 4.

NOTICE of OBJECTION to PARTIES inserted in the List of the Livery.

To Mr.

I HEREBY give you Notice, That I object to your Name being retained in the List of Persons entitled to vote, as Freemen of the City of London and Liverymen of the Company of in the Election of Members for the said City.

Dated the Day of

(Signed) *A.B.* of [*Place of Abode*], on the List of Voters of .

No. 5.

NOTICE of OBJECTION to be given to the SECONDARIES of the City of London, and to the CLERKS of the respective Livery Companies.

To the Secondaries of the City of London [*or* to the Clerk of the Company of].

I HEREBY give you Notice, That I object to the Name of being retained in the List of Persons entitled to vote, as Freemen of the City of London and Liverymen of the Company of in the Election of Members for the said City. Dated this Day of .

(Signed) *A.B.* of [*Place of Abode*], on the List of Voters of .

Note.—If the List contains Two or more Persons of the same Name, the Notice should distinguish the Person intended to be objected to.

No. 6.

THE LIST of PERSONS objected to, to be published by the SECONDARIES of the City of London.

THE following Persons have been objected to as not entitled to have their Names retained on the List of Persons entitled to vote, as Freemen of the City of London and Liverymen of the several Companies herein specified, in the Election of Members for the said City.

Christian and Surname of each Person objected to.	Place of his Abode.	Name of the Company.

Dated the Day of

(Signed) *A.B.* } Secondaries of the
C.D. } City of London.

Schedule (D.)

SCHEDULE (D.)

No. 1.

TABLE of RATES OF PAYMENT to be demanded and paid for any List or Copy of a List (other than a Register), where a Payment is required and authorized by this Act.

For any List or Copy of a List containing any Number of Persons Names—

	s.	*d.*
Not exceeding 100 Names	0	6
Exceeding 100 and not exceeding 200	1	0
Exceeding 200 and not exceeding 300	1	6
Exceeding 300 and not exceeding 400	2	0
Exceeding 400	2	6

No. 2.

TABLE of RATES OF PAYMENT to be demanded and paid for any Copy of a Register or Part of any Register, where a Payment is required and authorized by this Act.

For every Copy of any Register or any Part of any Register containing any Number of Persons Names —

Not exceeding 1,000 Names	1	0
Exceeding 1,000 and not exceeding 3,000	2	6
Exceeding 3,000 and not exceeding 6,000	5	0
Exceeding 6,000 and not exceeding 9,000	7	6
Exceeding 9,000	10	0

CAP. XIX.

An Act to empower the Commissioners of Her Majesty's Woods to appropriate to Building Purposes the Area of *Thatched House Court*, and to widen and improve *Little Saint James' Street*, in the Parish of *Saint James Westminster*. [31st *May* 1843.]

'WHEREAS the Queen's most Excellent Majesty, in right of Her Crown, is seised to Her Majesty, Her Heirs and Successors, of a Plot of Ground situate in the Parish of *Saint James Westminster* in the County of *Middlesex*, abutting Eastward on *Saint James's Street*, Northward on *Little Saint James's Street* and *Catharine Wheel Yard*, Westward on a Plot of Ground now or heretofore Garden belonging to *Bridgewater House*, and Southward on the North Wall of a Capital Messuage in *Saint James's Street* aforesaid known as the *Albion* Club House, and on Stable Buildings in *Russell Mews* in the Rear of the said Club House, containing in the whole by Estimation Two Roods and Twenty Perches, or thereabouts, and including the open Area of a Court called *Thatched House Court*, with the Entrance thereto from *Little Saint James's Street* aforesaid; subject nevertheless, as to the last-mentioned Area and Entrance, to the Power and Superintendence of the paving, repairing, cleansing, and lighting the same vested in "The Commissioners for paving and improving the Parish of *Saint James Westminster*," Part of which said Plot of Ground herein-before described, with the Messuage or Tenement heretofore erected and standing thereon, was demised by His late Majesty King *George* the Third to *Richard Henry Alexander Bennett*, by Letters Patent, dated Tenth *May* One thousand eight hundred and three, for a Term which will expire on the Tenth Day of *October* One thousand eight hundred and sixty-one; other Part thereof with the several Messuages or Tenements heretofore erected and standing thereon, was demised, by His said late Majesty King *George* the Third, to *Maria Deborah Grosvenor* Spinster, *Thomas Grosvenor*, and *Robert Grosvenor*, by Letters Patent, dated Third *March* One thousand eight hundred and ten, for a Term which will expire on the Tenth Day of *October* One thousand eight hundred and sixty-seven; and another small Portion thereof was demised by Indenture of Lease, dated Twentieth *November* One thousand eight hundred and twenty-two, to Sir *Richard Sutton* Baronet, for a Term which will expire on the said Tenth Day of *October* One thousand eight hundred and sixty-one: And whereas all and singular the Houses, Erections, and Buildings which heretofore stood on the said Plot of Ground, including all the Houses, Erections, and Buildings which stood in the said Court called *Thatched House Court*, have lately been pulled down, or are now in progress of being pulled down, with the view of new Houses and Buildings of a superior Class being erected on the Site thereof; and there being no longer any Need or Occasion for keeping open the Area of the said Court called *Thatched House Court*, or the Entrance thereto, it is expedient that the same should form Part of the Building Site of the said intended new Houses, and be discharged from all Rights of Way into, in, or over the same, and from the Jurisdiction of the said Commissioners for paving and improving the Parish of *Saint James Westminster*, who will thereby be relieved from the Charge of paving, cleansing, and lighting the said Court for the future: And whereas the said Street called *Little Saint James's Street* is of irregular Width, and for the most Part inconveniently narrow, being at its Entrance from *Saint James's Street* of the Width of Ten Feet only, or thereabouts, and it is proposed to improve and widen and render the same more commodious for the Passage of Carriages and Foot Passengers, by throwing into the said Street, and leaving open for the Use of the Public, so much of the North Side of the before-mentioned Plot of Ground belonging to Her Majesty abutting on the South Side of *Little Saint James's Street* and *Catharine Wheel Yard* aforesaid as will make the said Street called *Little Saint James's Street* of the

'uniform

'uniform Width of Twenty-four Feet throughout; and Her Majesty is graciously assenting thereto:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Ground and open Area of the said Court called *Thatched House Court*, and of the Entrance into the said Court from *Little Saint James's Street* aforesaid, shall be and the same is hereby vested in Her Majesty, Her Heirs and Successors, freed and discharged of and from all Rights of Way and other Rights and Easements whatsoever into, in, or over the same, and freed and discharged of and from the Power and Superintendence of the paving, repairing, cleansing, lighting, watering, and improving the said Court, and preventing Nuisances and Obstructions therein, now vested in the Commissioners for paving and improving the Parish of *Saint James Westminster*, all which said Rights of Way, and other Rights and Easements, Power and Superintendence, shall be and the same are hereby extinguished; and that it shall and may be lawful to and for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to take and use or demise the said Ground and Premises, so freed and discharged as aforesaid, for building or other Purposes, and either together with the adjoining Ground and Premises, the Property of Her Majesty, and as Part and Parcel thereof, or separately therefrom, in as full and ample Manner as they are by Law authorized and empowered to take, use, or demise any Part or Parts of the Possessions and Land Revenues of the Crown under their Care and Management.

Area of Thatched House Court vested in Her Majesty, discharged of Rights of Way and the Jurisdiction of Paving Commissioners.

II. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to lay open into the said Street called *Little Saint James's Street*, and the Continuation of the said Street called *Catharine Wheel Yard*, for the Purpose of improving and widening the same, so much of the adjoining Ground of Her Majesty on the South Side of the said Street and in *Catharine Wheel Yard* aforesaid as will make the said Street and the Continuation thereof of the Width of not less than Twenty-four Feet throughout, and to cause the said Ground so to be laid open as aforesaid to be levelled and filled in with sound hard Rubbish, to prevent the Ground from giving way, and to pave over the same Ground either with Stone, broken Granite, Wood, or other Material, to the Satisfaction of the Commissioners for paving and improving the Parish of *Saint James Westminster;* and that when the said Ground shall have been so laid open and paved as aforesaid the same shall form Part of the said Street called *Little Saint James's Street*, and shall be used by the Public accordingly, and the Property of the Pavement Surface of the said Ground, and the sole Power and Superintendence of the paving, repairing, cleansing, lighting, watering, and improving the same, and preventing Nuisances and Obstructions thereon, shall thenceforth be vested in the Commissioners for paving and improving the Parish of *Saint James Westminster*.

Commissioners of Woods empowered to widen Little Saint James's Street.

III. Provided always, and be it enacted, That the Exclusion herein-before contained of the Area of the said Court called *Thatched House Court* from the Jurisdiction of the said Commissioners for paving and improving the Parish of *Saint James Westminster*, as to paving, cleansing, and lighting the same, shall not extend or be construed to extend to exclude the same from the Jurisdiction of the said Commissioners as to rating, but that it shall be lawful for the said Commissioners to rate all and every the Persons and Person who shall inhabit, use, or occupy all or any of the Houses or Buildings to be erected on the said Area, Ground, and Premises herein-before described, in such and the same Manner and in the same Proportion as the other rateable Property in the said Parish is rated by the same Commissioners.

Saving the Jurisdiction of the Paving Commissioners as to rating.

IV. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to defeat, prejudice, or affect the Term, Estate, and Interest of the said *Richard Henry Alexander Bennett*, his Executors, Administrators, Under-tenants, or Assigns, under the said recited Letters Patent of the Tenth Day of *May* One thousand eight hundred and three, or of the said *Maria Deborah Grosvenor*, *Thomas Grosvenor*, and *Robert Grosvenor*, their Executors, Administrators, Under-tenants, or Assigns, under the said recited Letters Patent of the Third Day of *March* One thousand eight hundred and ten, or of the said Sir *Richard Sutton* Baronet, his Executors, Administrators, Under-tenants, or Assigns, under the said recited Indenture of Lease of the Twentieth Day of *November* One thousand eight hundred and twenty-two, but that all such several Terms, Estates, and Interests shall remain whole and unimpaired as if this Act had not been passed.

Saving the Rights of Lessees.

CAP. XX.

An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. [31st *May* 1843.]

'WHEREAS the ancient Office of the Queen's Coroner and Attorney in the Court of Queen's Bench, commonly called the Master of the Crown Office, hath lately become vacant by the Death of *Peregrine Dealtry* Esquire, and *Charles Francis Robinson* Esquire hath been appointed to the said Office, to prevent the Inconvenience which would have arisen from Delay in filling it up, but subject to such Arrangements and Regulations as might by Parliament be deemed expedient: And whereas it is desirable to relieve the Public and the Suitors from many ancient and unsuitable Fees now taken in the Crown Office, and to remodel the present Establishment, and that the Offices or Employments of the Clerks in Court and certain other Officers now existing in the said Crown Office should be abolished: And whereas, under the Provisions of an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law*, Compensation has been awarded

11 G. 4. & 1 W. 4. c. 58.

'awarded to the whole of the present Officers who are entitled thereto, and whose Offices will cease under 'the Provisions of this Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and forty-four the only Officers on the Crown Side of the said Court shall be the Queen's Coroner and Attorney, One Master and One Assistant Master; and from and after that Day the several Offices or Employments now existing in the Crown Office of Secondary, of Clerk of the Rules, of Clerk of the Affidavits, of Examiner, of Calendar Keeper, of Clerk of the Grand Juries, of Clerks in Court, and of the Queen's Clerk in Court, shall be and the same are hereby abolished, and shall wholly cease and determine.

The Queen's Coroner and Attorney, One Master, and One Assistant Master, to be the only Officers of the Court; all other Offices abolished.

Three Officers appointed.

II. And be it enacted, That the said *Charles Francis Robinson* shall continue to hold and enjoy the said Office of the Queen's Coroner and Attorney in the said Court for his Life, together with all the Rights, Privileges, and Advantages now belonging to the said Office, except so far as the same may be altered or abolished by this Act; and *William Samuel Jones* Esquire, now Secondary, and one of the Clerks in Court in the Crown Office, shall be the Master, and *George Barne Barlow* Esquire, now one other of the said Clerks in Court, shall be the Assistant Master, holding their said Offices during good Behaviour; and there shall also be in the said Office so many Clerks and Messengers as the Lord Chief Justice of the Court of Queen's Bench shall determine to be necessary and proper; and such Clerks and Messengers shall and may be appointed by the Queen's Coroner and Attorney, and the Master in the said Office, with the Approbation of the said Lord Chief Justice: Provided always, that so many of the Persons who are now employed in the said Office as may be needful shall be appointed as such Clerks and Messengers, if they shall be found competent to execute the Duties required of them, in preference to any other Persons who may not have been so employed.

Such Clerks and Messengers as are necessary to be appointed.

Appointment of future Officers in case of Vacancy.

III. And be it enacted, That when and so often as any Vacancy shall occur in either of the Three said Offices on the Crown Side of the said Court, by Death, Resignation, or otherwise, it shall and may be lawful for the Lord Chief Justice of the said Court for the Time being to nominate and appoint some fit and proper Person to fill such vacant Office, such Person being a Barrister or Pleader, in actual Practice, of not less than Five Years standing, or an admitted Attorney of the said Court, in actual Practice, of not less than Five Years standing on the Rolls of the said Court, or any one of the Persons who shall hold any Office or Employment under the Provisions of this Act in the Crown Office, or any Person who shall have held either of the Offices hereby abolished: Provided always, that the Lord Chief Justice of the said Court shall not be at liberty to fill up such Vacancy unless it shall be certified in Writing to the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, under the Hand of the said Lord Chief Justice, that it is absolutely necessary, for the efficient and satisfactory Conduct of the Business on the Crown Side of the said Court, that the said Three Officers should be retained; and such Certificate shall forthwith be laid before both Houses of Parliament, if Parliament shall be then sitting; if not, within Seven Days after the assembling thereof; and no such Appointment of the Queen's Coroner and Attorney, or of such Master or Assistant Master, shall take place by such Lord Chief Justice until Ten Days after such Certificate shall have been so laid before both Houses of Parliament as aforesaid, any thing in this Act to the contrary thereof notwithstanding.

Restriction as to filling up Vacancies.

Officers to be appointed without pecuniary Consideration during good Behaviour, and the Clerks and Messengers during Pleasure.

IV. And be it enacted, That all such Appointments of Officers, Clerks, or Messengers to be made by virtue of this Act shall be so made without any pecuniary or other Consideration whatever, directly or indirectly, to be paid or received for the same; and the Officers to be hereafter appointed by virtue of this Act shall hold their Offices during their good Behaviour; and the Persons to be appointed by virtue of this Act as such Clerks and Messengers shall hold their Situations during Pleasure, and such Officers, Clerks, and Messengers shall execute their Duties in Person, and shall give their Attendance in Court or elsewhere, and shall conduct the Business of their several Employments at such Places and Hours, whether in Term or Vacation, and in every respect in such Manner, as the Court of Queen's Bench shall from Time to Time order and direct.

In Cases of Sickness or Absence of Officers.

V. Provided always, and be it enacted, That if either of the said Officers shall, from Sickness or other unavoidable Cause, have Occasion to be absent from the Business of his Office for a longer Period than Two Months at any one Time, then and in every such Case it shall be lawful for the Lord Chief Justice of the said Court for the Time being to give Leave of Absence by his Order in Writing to such Officer, and, if necessary, to appoint a Deputy in his Place, during such Time as shall be expressed in such Order, and the Name of such Deputy, and also the Cause and Time of such Absence, shall be stated in such Order; and such Deputy may, if Occasion shall require it, be changed by the said Lord Chief Justice; and every Deputy so appointed shall be paid by the Principal for whom he shall act, out of his Salary, such Remuneration for his Services as the said Lord Chief Justice shall direct in such Order, not being in any Case less than at the Rate of One Third of the Amount of the Salary of such Officer, during the Period that such Deputy shall act.

Persons appointed not to practise elsewhere.

VI. And be it enacted, That no Person holding any such Office of the Queen's Coroner and Attorney, Master or Assistant Master, or being a Clerk on the Crown Side of the said Court, shall, either directly or indirectly, act as a Barrister, Attorney, or Solicitor, or as Agent of any Attorney or Solicitor, in any Court of Law or Equity in the United Kingdom, either separately or in Partnership with any other Person, during such Time as he shall hold such Office or act as such Clerk.

Salaries of Officers;

VII. And be it enacted, That the Queen's Coroner and Attorney, and the Master in the Crown Office, shall receive by way of Salary, for performing the Duties of their respective Offices, the Sum of One thousand

thousand two hundred Pounds *per Annum* each, and the said Assistant Master shall receive by way of Salary, for the Performance of his Duties, the Sum of Six hundred Pounds *per Annum*, the said Salaries to commence and be computed from the First Day of *January* One thousand eight hundred and forty-four, and to be paid and be payable quarterly; namely, on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, together with a proportional Part of such annual Sum for the Term which at the Decease of the Person entitled thereto shall have elapsed since the last Payments thereof.

to commence on 1st Jan. 1844.

VIII. Provided always, and be it enacted, That the said *Charles Francis Robinson* shall receive the Sum of Two thousand Pounds *per Annum* by way of Salary so long as he shall hold the said Office of Queen's Coroner and Attorney, and the said *William Samuel Jones* the Sum of One thousand six hundred and two Pounds, by way of Salary, so long as he shall hold the said Office of Master, and the said *George Barne Barlow* the Sum of Seven hundred Pounds, by way of Salary, so long as he shall hold the said Office of Assistant Master, in lieu of the Compensation Allowances to which they are now by Law respectively entitled: Provided always, that from and after the passing of this Act the said Office of Queen's Coroner and Attorney shall be wholly discharged from the Land Tax heretofore assessed upon the said Office.

Salaries to certain Officers in lieu of Compensation Allowances.

IX. And be it enacted, That the Clerks and Messengers who shall be appointed as herein-before directed shall receive, by way of Salary, for the Performance of their several Duties, such annual Sum and payable at such Times as the Lord Chief Justice of the said Court and the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall from Time to Time fix and determine: Provided always, that if any of the Persons appointed as Clerks or Messengers under the Provisions of this Act shall be entitled to and in the Receipt of Compensation Allowance awarded to them under the herein-before recited Act or of any other Act, which shall exceed the Amount of Salary fixed and determined as aforesaid, such Persons shall be entitled to and shall receive the full Amount of such Compensation Allowance, by way of Salary, as long as they shall respectively hold their Situations under this Act; and in Cases where such Compensation Allowance shall be less than the Amount of Salary so fixed and determined the same shall merge and be considered as Part of and included in the said Salary.

Salaries of Clerks and Messengers to be fixed by the Lord Chief Justice and the Commissioners of the Treasury.

X. And be it enacted, That the Salaries of the said Officers and of the Clerks and Messengers, together with the necessary and unavoidable Expences of the Crown Office, shall be paid and payable out of and be charged and chargeable upon the Fees received in the said Office; and the Surplus of such Fees, after the Payment of the said Salaries and Expences, shall be paid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at such Times and in such Manner as the said Commissioners of Her Majesty's Treasury for the Time being shall think proper to direct; and in the event of the Fees so received being at any Time insufficient to defray the said Salaries and other necessary Expences, it shall be lawful for the said Commissioners of Her Majesty's Treasury, or any Three or more of them, and they are hereby authorized and required, to direct the Amount of such Deficiency to be charged upon and be paid out of the said Consolidated Fund.

How Salaries of Officers, &c. to be paid.

XI. And be it enacted, That if any Officer, Clerk, or Messenger appointed or to be appointed under or by virtue of this Act shall, for any thing done or pretended to be done relating to their Offices or Employments, or under colour of doing any thing relating to their Offices or Employments, or for forbearing to do any Act properly appertaining thereto, demand or accept, or allow any Person whatsoever to take for him or on his Account, or for or on account of or in Trust for him, or any other Person named by him, any Gratuity, Perquisite, or Reward, or any Thing of Value, other than the lawful Fees and Emoluments of the said respective Offices, or other than the Salary or Remuneration allowed or to be allowed to every such Officer, Clerk, or Messenger, it shall be lawful for the said Lord Chief Justice, and he is hereby empowered and required, upon his being satisfied that the Person charged is guilty of so offending, to remove him from his Office or Employment; and the Person so removed shall be and is hereby rendered incapable for ever thereafter of holding any Office, Situation, or Employment in any of the Courts of Law or Equity in the United Kingdom, or of otherwise serving Her Majesty, Her Heirs or Successors, in any Manner whatsoever.

Officers not to take Gratuities, on pain of Dismissal.

XII. And be it enacted, That the said Queen's Coroner and Attorney, and Master, shall cause all Fees received by them, and all Disbursements made thereout for Salaries and other necessary Expences, to be duly and regularly entered in One or more Books to be kept for that Purpose in their Offices, distinguishing the Fees received under their several Heads, and also the Particulars and Amount of every Disbursement; and shall quarterly, within One Month after the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, render a true and faithful Account in Writing to the Commissioners of Her Majesty's Treasury for the Time being of all such Fees and Disbursements, in such Form of Account, and with such Particulars of Receipt, or otherwise, and accompanied by such Vouchers, as the said Commissioners shall from Time to Time require and direct; and if upon the Examination of any such Account it shall appear to the said Commissioners that any Fees have not been duly accounted for, or that any unreasonable or improper Charge or Deduction has been made in such Account, it shall be lawful for the said Commissioners finally to settle and adjust the same in such Way as they may think reasonable and proper; and the said Officers by whom such Account shall have been rendered shall and they are hereby required to alter and amend the said Account accordingly: Provided always, that the said Officers shall submit their Books of Account to the Inspection of the said Commissioners of Her Majesty's Treasury, or any Person or Persons whom they may employ for that Purpose, whenever they shall be required so to do.

Queen's Coroner and Attorney, and Master, to keep Accounts of Fees and Disbursements, and to render same quarterly to Commissioners of the Treasury.

XIII. And

Allowances on Retirement from Office.

XIII. And be it enacted, That the said Officers, and every Person appointed or to be appointed under the Provisions of this Act as Clerk or Messenger, and who was entitled to and has received Compensation in respect of the Office formerly held by him under the said recited Act passed in the First Year of the Reign of King *William* the Fourth, who shall hereafter resign his Office or Situation, giving Two Months Notice in Writing of such Resignation to the Lord Chief Justice of the said Court, shall be entitled to receive during his Life such annual Sum as the Commissioners of Her Majesty's Treasury shall think proper to fix and appoint, not exceeding in any Case the net annual Value of the Office or Situation formerly held by him, and not being less in any Case than Three Fourths thereof; provided that such annual Sum shall exceed the Superannuation Allowance, to be ascertained as herein-after mentioned; and the said Officers, and every Person appointed or to be appointed to any Situation as aforesaid under this Act, where such annual Sum shall amount to a less Sum than the Superannuation Allowance, to be ascertained as herein-after mentioned, or who was not entitled to and has not received Compensation in respect of any former Office held by him under the Provisions of the said Act, and who shall hereafter resign his Office or Situation with the Sanction and under the Authority of the Lord Chief Justice of the said Court, in consequence of his being incapable, from Infirmity of Mind or Body, to discharge the Duties thereof, shall be entitled to receive such Superannuation Allowance as the said Commissioners of Her Majesty's Treasury shall direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners shall take into consideration the whole Period during which any such Person shall have been permanently employed in any Office or Situation in the said Court, or in any other public Office or Situation, prior to the passing of this Act, and shall proceed according to the Principles laid down by an Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service;* and all Officers, Clerks, and Messengers who shall be newly appointed in the said Office after the passing of this Act shall be subject to the Deductions from their Salaries imposed by the said Superannuation Act, and all such Sums and Allowances which shall be so awarded and granted by way of Superannuation under the Authority aforesaid shall be paid and payable and be charged and chargeable in the same Way as is herein-before provided in respect of the Salaries of the said Officers, Clerks, and Messengers respectively as aforesaid, and the necessary Expences of the said Office.

4 & 5 W. 4. c. 24.

What Persons shall be allowed to practise in the Court.

XIV. And be it enacted, That the Solicitors for the several public Boards, and all Persons admitted or admissible to practise as Attornies in the Queen's Bench, shall be allowed in like Manner to practise on the Crown Side of the said Court, any Law or Usage to the contrary notwithstanding, upon Payment nevertheless of such Fees in respect of the Business transacted by such Attornies on the Crown Side of the said Court as shall by the said Lord Chief Justice and Judges of the said Court be fixed and appointed under the Provisions herein-after expressed and declared in that Behalf.

Lord Chief Justice, &c. to establish a Table of Fees; but no Fees to be demanded in respect of Proceedings directly at the Suit of Her Majesty.

XV. And be it enacted, That it shall and may be lawful for the Lord Chief Justice and the Judges of the said Court, or any Three or more of them, and they are hereby required, on or before the First Day of *January* One thousand eight hundred and forty-four, to establish and ordain at their Discretion a Table of Fees to be thereafter taken by the said Queen's Coroner and Attorney, and Master, and to vary and afterwards modify the same from Time to Time as they shall think fit; and the Fees so established and ordained shall be deemed and taken to be the lawful Fees of the Crown Office: Provided always, that no Fees whatever shall be demanded or received by the said Coroner and Attorney, Master or Assistant Master, or by any Person employed by them in the said Office, for or in respect of any Act, Duty, or Service required to be done, performed, or rendered by them, or any of them, in the course of any Proceedings carried on in the said Office directly at Her Majesty's Suit and Charge; and the said Coroner and Attorney, Master and Assistant Master, and the several Persons employed by them in the said Office, are hereby authorized and required to perform and render such Acts, Duties, and Services as may be required in the Course of such last-mentioned Proceedings without Payment of any Fee whatsoever in respect thereof.

Lord Chief Justice, &c. to make Rules, &c. for Care and Custody of Records and issuing Writs, &c.

XVI. And be it enacted, That it shall and may be lawful for the said Lord Chief Justice and the Judges of the said Court, or any Three or more of them, to make such Rules, Orders, and Regulations from Time to Time for the Care and Custody of the Records and other Proceedings on the Crown Side of the said Court, and the Enrolment thereof, and the issuing, returning, and filing of Writs and other Proceedings, and all other Matters and Things relating to the Practice and the general Business to be transacted on the Crown Side of the said Court, as to them shall seem fit and proper.

The Queen's Coroner and Attorney, Master and Assistant Master, to perform the Duties of the Officers abolished.

XVII. And be it enacted, That from and after the said First Day of *January* One thousand eight hundred and forty-four all Acts, Duties, and Services now done, performed, and rendered by the said Officers abolished by this Act, or any of them, in their respective Offices on the Crown Side of the said Court, except so far as the same may be altered or regulated in pursuance of this Act, shall continue to be done, performed, and rendered by the said Queen's Coroner and Attorney, and Master and Assistant Master, or their Successors, or by One of them; and such Acts, Duties, and Services, when so done, performed, and rendered by the said Officers or their Successors, or One of them, shall be good and valid in Law to all Intents and Purposes: Provided always, that the several Acts, Duties, and Services now and heretofore done, performed, and rendered by the Clerks in Court on the Crown Side of the said Court shall, from and after the said First Day of *January* One thousand eight hundred and forty-four, be done, performed, and rendered by the Solicitors for the several public Boards and by the Attornies of the said

said Court in like Manner as the Business of the like Descriptions is now transacted on the Civil Side of the said Court: Provided also, that all Monies paid into the said Court for Her Majesty's Use shall continue to be received as heretofore by the said Queen's Coroner and Attorney; and the several Accounts of Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited to or for the Use of Her Majesty in the said Court, required by any Act now in force to be rendered and made by the said Coroner and Attorney, and all other Acts, Duties, and Services now done, performed, and rendered by the said Coroner and Attorney touching the Receipt and Payment of Monies to or for the Use of Her Majesty, and the Accounts to be rendered thereof, shall continue to be done, performed, and rendered as heretofore by the said Queen's Coroner and Attorney.

The Queen's Coroner to receive Monies and account for Fines, &c. as heretofore.

XVIII. 'And whereas *William Samuel Jones* and *John Oliver Jones* have been admitted as Clerks in 'Court in the said Office jointly and severally, and have been jointly compensated under and by virtue 'of an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, but, by an 'Agreement entered into at the Time of the Admission of the said *John Oliver Jones* between the said '*William Samuel Jones* and *John Oliver Jones*, it was agreed that the said *William Samuel Jones* should 'receive and take to his own Use and Benefit the whole of such Compensation during his natural Life, 'and should perform and execute all the Duties incident to the said Office of a Clerk in Court, and that 'the said *John Oliver Jones* should not interfere therewith, and that the said *John Oliver Jones* should, 'after the Decease of the said *William Samuel Jones*, receive and take to his own Use during his 'natural Life such Compensation as aforesaid, and should perform all the Duties of the said Office: And 'whereas by virtue and in pursuance of this Act the said *John Oliver Jones* will be One of those Officers 'whose Office and Duty will be abolished, and he will be thereby entitled to Compensation by virtue of 'the said Act of Parliament of the First Year of King *William* the Fourth;' now therefore be it enacted, That the said *John Oliver Jones* shall be entitled to receive such Compensation for the Loss of His Reversionary Interest in the said Office immediately after the passing of this Act as the Commissioners of Her Majesty's Treasury for the Time being may adjudge to him, not being less than Three Fourths of the Value of such Reversion, or he may receive such Compensation at the Time of the Decease of the said *William Samuel Jones* as he would be entitled to receive by virtue of the said Act of the First Year of King *William* the Fourth if the said Office had not been abolished.

John Oliver Jones entitled to Compensation for Loss of his Reversionary Interest in respect to the Office of Clerk in Court.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XXI.

An Act to continue until the Thirty-first Day of *July* One thousand eight hundred and forty-four, and to the End of the then Session of Parliament, the several Acts for regulating Turnpike Roads in *Ireland*. [31st *May* 1843.]

CAP. XXII.

An Act to authorize the Legislatures of certain of Her Majesty's Colonies to pass Laws for the Admission, in certain Cases, of unsworn Testimony in Civil and Criminal Proceedings. [31st *May* 1843.]

'WHEREAS there are resident within the Limits of or in Countries adjacent to divers of the *British* 'Colonies and Plantations abroad various Tribes of barbarous and uncivilized People, who, being 'destitute of the Knowledge of God and of any religious Belief, are incapable of giving Evidence on 'Oath in any Court of Justice within such Colonies or Plantations: And whereas Doubts have arisen 'whether any Laws which have been or which might be made by the Legislatures of such Colonies 'respectively to provide for the Admissibility in such Courts of the Evidence of such Persons are not or 'would not be repugnant to the Law of *England*, and therefore null and void; and it is expedient that 'such Doubts should be removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Law or Ordinance made or to be made by the Legislature of any *British* Colony for the Admission of the Evidence of any such Persons as aforesaid in any Court or before any Magistrate within any such Colony shall be or be deemed to have been null and void or invalid by reason of any Repugnancy or supposed Repugnancy of any such Enactment to the Law of *England*, but that every Law or Ordinance made or to be made by any such Legislature as aforesaid, for the Admission before any such Court or Magistrate of the Evidence of any such Persons as aforesaid on any Conditions thereby imposed, shall have such and the same Effect, and shall be subject to the Confirmation or Disallowance of Her Majesty in such and the same Manner, as any other Law or Ordinance enacted for any other Purpose by any such Colonial Legislature.

Laws or Ordinances made by the Legislatures of British Colonies for Admission of the Evidence of certain Persons residing therein shall have the same Effect as other Colonial Laws.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be amended, &c.

CAP. XXIII.

An Act to amend and explain an Act for the Commutation of certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure. [27th *June* 1843.]

4 & 5 Vict. c. 35.

'WHEREAS an Act was passed in the Fifth Year of the Reign of Her present Majesty Queen 'Victoria, intituled *An Act for the Commutation of certain Manorial Rights in respect of Lands of 'Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating 'the Enfranchisement of such Lands, and for the Improvement of such Tenure;* and it is expedient to 'amend and explain the said Act in certain respects:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, in addition and subject to the Provisions contained in the said Act, any Enfranchisement made under the same may be made, either wholly or in part, for the Consideration of a Grant of an annual Rent in Fee to be thenceforth charged on and issuing out of the Lands enfranchised, such annual Rent to be valued in like Manner and be subject to the like Variation as the Commutation Rent-charge under the Provisions of the said Act; and that, in addition and subject to the Provisions contained in the said Act, any Commutation or Enfranchisement made under the same may be made either wholly or in part for the Consideration of a Conveyance of Lands Parcel of the same Manor as the Lands commuted or enfranchised, and subject to the same Uses and Trusts as the Lands commuted or enfranchised shall be subject to at the Time of such Commutation or Enfranchisement, or any Right to Mines or Minerals in or under such Lands, or any Right to Waste in Lands belonging to such Manor.

Enfranchisement may be made in consideration of an annual Rent and Commutation may be made in consideration of the Conveyance of Lands subject to the same Uses as those commuted, &c.

II. And be it enacted, That if the Consideration for the Enfranchisement under the said Act shall be either wholly or in part the Grant of an annual Rent, then it shall be lawful for the Person empowered by the said Act to obtain the Enfranchisement of such Lands to grant such annual Rent to the Person enfranchising such Lands, and his Heirs, to the Uses and upon and for the Trusts, Intents, and Purposes to, upon, and for which the Manor of which such Lands are Parcel shall be subject and held at the Time of such Enfranchisement, and to charge such annual Rent on all or such of the Lands enfranchised as shall be fixed on, and to make the same payable by equal half-yearly Payments; and the annual Rent so granted shall be a Rent Service, and thenceforth Parcel of and appendant and appurtenant to the same Manor as the Lands enfranchised; and such annual Rent may be granted either by Deed or by a Schedule of Appointment, to be made and signed pursuant to the Directions of the said Act and of this Act.

Power to the Person obtaining the Enfranchisement of Lands to grant an annual Rent in consideration of such Enfranchisement.

III. And be it enacted, That if the Consideration for the Commutation or Enfranchisement under the said Act shall be either wholly or in part the Conveyance of Lands, or a Right to Mines or Minerals, or a Right to Waste in Lands belonging to such Manor as aforesaid, then it shall be lawful for the Person empowered by the said Act to obtain such Commutation or Enfranchisement to convey the Lands, or Rights to Mines or Minerals, or Rights to Waste in Lands belonging to such Manor, fixed on as the Consideration, either wholly or in part, for such Commutation or Enfranchisement, to the Person commuting or enfranchising the Lands proposed to be commuted or enfranchised, and his Heirs, to the Uses and upon and for the Trusts, Intents, and Purposes to, upon, and for which the Manor of which such Lands are Parcel shall be subject and held at the Time of such Commutation or Enfranchisement.

Power to Person obtaining Commutation or Enfranchisement of Lands to convey Lands in consideration of such Commutation or Enfranchisement.

IV. And be it enacted, That if, at any Time while an annual Rent shall remain charged on any Lands under this Act, the Person for the Time being seised in Possession of such annual Rent or entitled to the Receipt thereof shall be so seised or entitled for a particular Estate, (whether such Estate shall have been subsisting at the Time of the Enfranchisement of such Lands or not,) then it shall be lawful for such Person, whether he shall be so seised or entitled in actual Possession or in Remainder or Reversion expectant on the Determination of any Estate for a Term of Years, to divide and apportion such annual Rent, and to declare what Part and Proportion thereof shall be thenceforth severally charged upon each of the respective Parcels of such Lands between which such Apportionment is intended to be made; and after such Apportionment such annual Rent shall be chargeable upon and payable out of such Lands only, and in such Parts and Proportions only as shall be so declared: Provided nevertheless, that it shall not be lawful for any Person so seised or entitled as aforesaid in respect of an undivided Share only of such annual Rent to divide and apportion such annual Rent, unless the Person for the Time being enabled either by this Act or otherwise to divide and apportion the same as respects the other undivided Share thereof shall join in dividing and apportioning such annual Rent.

Power to the Person having a particular Estate in an annual Rent to apportion the same.

V. And be it enacted, That if at any Time while an annual Rent shall remain charged on any Lands under this Act the Person seised of such Lands in Possession, or entitled to the Receipt of the Rents, Issues, and Profits thereof, shall be so seised or entitled for a particular Estate, (whether such Estate shall have been subsisting at the Time of the Enfranchisement of such Lands or not,) then it shall be lawful for such Person, whether he shall be so seised or entitled in actual Possession or in Remainder or Reversion expectant on the Determination of any Estate for a Term of Years, and with the Consent of the Copyhold Commissioners, to concur in any Division or Apportionment of such annual Rent, and to agree what Part and Proportion thereof shall be thenceforth severally charged upon each of the respective Parcels of such Lands between which such Apportionment is intended to be made: Provided nevertheless, that it shall not be lawful for any Person so seised or entitled as aforesaid in respect of an undivided Share only

Power to the Person having a particular Estate in Lands charged with an annual Rent to concur in the Apportionment thereof.

of

of such Lands to concur in or agree to any such Division or Apportionment, unless the Person for the Time being enabled either by this Act or otherwise to concur in such Division or Apportionment as respects the other undivided Share of such Land shall concur in or agree to such Apportionment.

No Apportionment to be made without Consent of Person entitled.

VI. Provided nevertheless, and be it enacted, That no Division or Apportionment shall be made under this Act of an annual Rent charged on any Lands unless with the Concurrence and Agreement of the Person seised of such Lands or entitled to the Receipt of the Rents, Issues, and Profits thereof, for an Estate in respect of which he is enabled either by this Act or otherwise to concur in or agree to such Apportionment, so as to render the same permanent and effectual.

Annual Rents charged on Lands to be First Charges on such Lands.

VII. And be it enacted, That every annual Rent which shall be charged on any Lands under the Authority of this Act shall be a First Charge on such Lands, and shall have Priority over all Mortgages, Charges, and Incumbrances whatsoever affecting such Lands, Tithe Rent-charge excepted, notwithstanding such Mortgages, Charges, and Incumbrances shall have been or shall be respectively made and created before such apportioned annual Rent shall be charged on such Lands.

Sub-lessees not liable to Payment of a greater Sum than they were before.

VIII. Provided always, and be it enacted, That a Sub-lessee under any Sub-lease, his Executors, Administrators, or Assigns, shall not, in consequence of any Charge under this Act either with an annual Rent, or in consequence of any Apportionment under this Act either of an apportioned annual Rent or of any Rent reserved in any Lease, be liable to the Payment of any greater Sum of Money than he would have been subject or liable to if such Charge or Apportionment had not been made.

If at the Time of the Conveyance of any Lands in consideration of an Enfranchisement there shall be a Lease subsisting, the Person to whom such Lands shall be conveyed shall have the Reversion on such Lease, and may distrain for the Rents and enforce the Covenants, &c.

IX. Provided always, and be it enacted, That if at the Time of the Conveyance under this Act, in consideration either wholly or in part of the Commutation or Enfranchisement of any Lands held by Copy of Court Roll, there shall be subsisting in the Lands so conveyed any Lease (not being an Under-lease), then the Lessee under such Lease, his Executors, Administrators, and Assigns, shall pay, observe, and keep to and with the Person to whom such Lands shall be so conveyed, or other the Person for the Time being seised of or entitled to such Lands expectant on the Determination of such Lease, and his Executors or Administrators, the Rent, Reservations, Covenants, Conditions, and Agreements respectively reserved and contained in such Lease, or such and so many or such Part of the Rent, Reservations, Covenants, Conditions, and Agreements respectively reserved and contained in such Lease as are or ought to be thenceforth respectively paid, observed, and kept in respect of the Lands so conveyed; and the Person to whom such Lands shall be so conveyed, or other the Person so for the Time being seised of or entitled as aforesaid, shall and may from Time to Time make or bring all such Distresses, Actions, Suits, or Entries for Nonpayment of such Rent or Reservations, or for Nonperformance of the Covenants, Conditions, and Agreements in such Lease respectively reserved and contained, as could, in case such Conveyance had not been made, have been made or brought by the Person making such Conveyance, or other the Person for the Time being seised of or entitled to the Reversion expectant on the Determination of such Lease; and that in all such Distresses, Actions, Suits, and Entries the Rent, Reservations, Covenants, Conditions, and Agreements in such Lease reserved and contained on the Part of the Lessee, his Executors, Administrators, or Assigns, shall be deemed and taken to be annexed to an immediate Reversion vested in the Person to whom such Lands shall be so conveyed, or other the Person for the Time being so seised of or entitled to such Lands as aforesaid.

If at the Time of the Commutation or Enfranchisement of any Lands there shall be any Lease subsisting therein, the Person seised of or entitled to such Lands shall have the Reversion on that Lease, and may distrain for the Rents and enforce the Covenants, &c.

X. Provided always, and be it enacted, That if at the Time of any Commutation or Enfranchisement under the said Act or under this Act of any Lands there shall be subsisting in such Lands any Lease (not being an Under-lease), then the Lessee under such Lease, his Executors, Administrators, and Assigns, shall pay, observe, and keep to and with the Person for the Time being seised of or entitled to the Lands so commuted or enfranchised, and his Executors or Administrators, the Rent, Reservations, Covenants, Conditions, and Agreements respectively reserved and contained in such Lease, or such and so many or such Part of the Rent, Reservations, Covenants, Conditions, and Agreements respectively reserved and contained in such Lease, as are or ought to be thenceforth respectively paid, observed, and kept in respect of the Lands so commuted or enfranchised; and the Person for the Time being seised of or entitled to the Lands so commuted or enfranchised shall and may from Time to Time make or bring all such Distresses, Actions, Suits, or Entries for Nonpayment of such Rent or Reservations, or for Nonperformance of the Covenants, Conditions, and Agreements in such Lease respectively reserved and contained, as could have been made or brought by the Person who would for the Time being have been entitled to the Lands so commuted or enfranchised in case such Commutation or Enfranchisement had not been made; and in all such Distresses, Actions, Suits, and Entries the Rents or Reservations, Covenants, Conditions, and Agreements in such Lease reserved and contained on the Part of the Lessee, his Executors, Administrators, or Assigns, shall be deemed and taken to be annexed to an immediate Reversion vested in the Person for the Time being seised of or entitled to the Lands so commuted or enfranchised.

A Schedule of Apportionment may be used where Six Tenants agree to enfranchise.

XI. 'And whereas it is provided by the said Act that whenever so many as Twelve Persons being 'Tenants or all the Tenants of any Manor shall agree with the Lord for the Commutation or Enfranchise-'ment of their Lands, it shall be lawful to effect such Commutation or Enfranchisement by a Schedule of 'Apportionment; and it is desirable to permit a Schedule of Apportionment to be adopted when a less 'Number of Tenants of any Manor than Twelve are desirous of effecting a Commutation or Enfranchise-'ment;' be it enacted, That it shall be lawful to effect a Commutation or Enfranchisement by a Schedule of Apportionment, in the Manner provided by the said Act, whenever so many as Six Persons being Tenants of any Manor shall at the same Time agree with the Lord for the Commutation or Enfranchisement of their Lands.

Part of the Money received for Enfranchisement may be applied in paying off any Fee-farm Rent or other Charge.

XII. And be it enacted, That if any Manor, or any Part thereof, shall be subject to the Payment of any Fee-farm Rent or other Charge not exceeding the Amount of the annual Quit Rents payable to the Lord of such Manor, it shall be lawful for the said Commissioners to direct that so much of the Money to be received for Enfranchisement in any such Manor under the Provisions of the said recited Act or this Act, as they shall consider adequate, shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Copyhold Commissioners, and to be applied under the Directions of the said Court of Chancery in paying or redeeming the said Charge, and in exonerating therefrom the Land which shall be enfranchised and indemnifying the Owners of such Land, and otherwise as the said Court shall direct, on Petition in a summary Way, as provided for in the Case of other Money to be paid into the Bank of *England* under the said Act; and every such Fee-farm Rent or other Charge shall be paid to the Person entitled thereto at the same Time, and subject to the same Deductions for Land Tax or otherwise, but to no others, as if no Enfranchisement had taken place; and when Provision shall have been so made for any such Charge it shall be lawful for the said Commissioners to direct that the Remainder of the Money to be paid for Enfranchisement and the surplus Income of the Money so paid into the Bank of *England*, after Payment of all Expences attending the Payment of such Fee-farm Rent or other Charge to the Person entitled thereto, shall be applied in like Manner as if no such Charge had existed; and thenceforth no Land which shall be enfranchised in such Manor shall be chargeable with or liable to the Payment of any greater Part of the said Fee-farm Rent or other Charge than the Amount of the Quit Rent theretofore payable out of such Land, but to that Extent the said Land shall continue and be chargeable with and liable to the Payment of the said Fee-farm Rent or other Charge, and shall be subject to the like Remedies for the Recovery thereof as if such Quit Rent continued payable; and the said Commissioners shall state in the Deed, Schedule, or other Instrument of Enfranchisement the Amount of such Quit Rent or Liability in every Case, and such Statement shall be conclusive against the Owners of the said Land: Provided nevertheless, that it shall be lawful for the said Commissioners, whatever may be the Amount of such Fee-farm Rent or other Charge, with the Consent of the Person entitled thereto, to direct, if they shall see fit, that any other Security in Land or Money which they shall consider sufficient for the Purpose shall be substituted for the Payment of Money into the Bank of *England* in manner aforesaid, and in that Case, or in any Case, and whatever may be the Amount of such Fee-farm Rent or other Charge, with the Consent of the Person entitled as aforesaid, to direct that all or any Part of the Land to be enfranchised shall be entirely released from the Payment of the said Fee-farm Rent or other Charge, and the same Land shall thenceforth be released accordingly.

Application of the Remainder.

Commissioners may direct that any other Security may be substituted for the Payment of Money into the Bank.

Altering Provision in recited Act as to Notice of Person entitled to next Estate of Inheritance.

XIII. 'And whereas it is provided by the said Act, that whenever the Estate of any Party to an 'Enfranchisement under the said Act shall be less than an Estate of Fee Simple in Possession or corresponding Copyhold or Customary Estate, Notice in Writing shall be given to the Person entitled to the 'next Estate of Inheritance in Remainder or Reversion in the Manor or Land to be affected by such 'Enfranchisement;' be it enacted, That in case any Tenant whose Estate shall be less than an Estate of Fee Simple as aforesaid shall be a Party to an Enfranchisement under the said Act or this Act, and shall pay the whole of the Price of Enfranchisement, so that no Part thereof or of the Expences thereof shall be charged on the Inheritance of the Land to be enfranchised, it shall not be necessary that the Person entitled to the next Estate of Inheritance or Remainder or Reversion shall have Notice of such Enfranchisement.

Payment of Enfranchisement Money when the Lord of the Manor has only a limited Interest.

XIV. And be it enacted, That when any Lord of a Manor shall be only entitled for a limited Estate or Interest therein, or shall be under any legal Disability, any Money to be paid under the said Act or under this Act for Enfranchisement from the Lord's Rights shall, at the Option of the respective Parties for the Time being entitled to the said Manor the Rights of which shall be enfranchised, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account, in order to be applied in manner as in the said Act directed, or otherwise the same may be paid, at the like Option, to the Trustees acting under the Will, Conveyance, or Settlement under which such Lord having such limited Interest shall hold or be entitled to or interested in the said Manor of which the Lands so to be enfranchised shall be Parcel, or if there are no such Trustees, then into the Hands of Trustees to be nominated under the Hands and Seal of the said Commissioners; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner directed and specified by the said Act of and concerning any Money to be paid for Enfranchisement under the said Act, into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of such Trustee some other fit Person shall be appointed by the said Commissioners in like Manner.

To what the Acts shall be construed to extend.

XV. And be it enacted, That the said recited Act and this Act shall be construed to extend to all Lands holden by Copy of Court Roll or by a Custom of a Manor for Life or Lives or for Years, whether the Tenant thereof have or have not a Right of Renewal; and that the Words "Land or Lands" shall extend to all Corporeal and Incorporeal Hereditaments whatsoever, whether subject to Manorial Rights or otherwise, or any undivided Part or Share therein.

This Act a Part of recited Act.

XVI. And be it enacted, That this Act shall be taken and construed to be a Part of the said recited Act.

CAP. XXIV.

An Act to continue, until the Fifth Day of *April* One thousand eight hundred and forty-five, Compositions for Assessed Taxes, and to amend the Laws relating to the Land and Assessed Taxes, and also the Laws relating to the Duties on Profits arising from Property, Professions, Trades, and Offices. [27th *June* 1843.]

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of Her Majesty, intituled 'An Act to continue, until the Fifth Day of April One thousand eight hundred and forty-four, 5 & 6 Vict. c. 37.
'Compositions for Assessed Taxes, and to amend the Laws relating to the Land and Assessed Taxes, the
'Compositions for Assessed Taxes, entered into or renewed under the Authority of an Act passed in the
'Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, were continued until 4 & 5 W. 4. c. 54.
'the Fifth Day of *April* One thousand eight hundred and forty-four; and it is expedient to continue the
'same for the further Term of One Year:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Contracts of Composition for the Duties of Assessed Taxes now in force shall be and the same are hereby continued in force for a further Term of One Year, to be computed from the Fifth Day of *April* One thousand eight hundred and forty-four, and to determine on the Fifth Day of *April* One thousand eight hundred and forty-five, under the same Rules, Regulations, and Privileges as if such Compositions did not, by the Laws now in force, expire before the last-mentioned Day; and all the Powers and Provisions of the several Acts relating to or continuing such Compositions, or for collecting or enforcing Payment thereof, shall be extended and applied to the Contracts of Composition continued under this Act to all Intents and Purposes as if the same had been herein repeated and re-enacted.

Compositions for Assessed Taxes continued for a further Term of One Year ending 5th April 1845;

II. Provided always, and be it enacted, That this Act shall not extend to the Contract or Composition of any Person who shall be desirous of determining the same on the Fifth Day of *April* One thousand eight hundred and forty-four, and who shall, on or before the Tenth Day of *October* One thousand eight hundred and forty-three, give Notice thereof in Writing to the Assessor or Collector of the Parish or Place, or to the Surveyor acting in the Execution of the Acts relating to the Duties of Assessed Taxes for the District in which such Composition shall be payable.

except in Cases where Parties shall give Notice to determine the same on the 5th April 1844.

III. 'And whereas by an Act passed in the Forty-third Year of the Reign of King *George* the Third, Proviso in 43 G. 3. c. 99., restraining the putting in Suit Collectors Bonds, repealed.
'intituled *An Act for consolidating certain of the Provisions contained in any Act or Acts relating to the*
'*Duties under the Management of the Commissioners for the Affairs of Taxes, and for amending the same,*
'it is enacted, that the Persons to be appointed Collectors of the Duties under the Regulations of the
'last-recited Act shall, if required so to do, give good and sufficient Security, by a joint and several
'Bond, with Sureties, to and in the Names of Two or more of the Commissioners appointed for putting in
'execution the said Act, and with such Condition to the said Bond for the duly demanding, collecting, and
'paying over of the said Duties by the said Collectors as in the said last-recited Act is mentioned; and it is
'also enacted, that every such Bond shall be prosecuted by the Commissioners to whom the same is given
'on any Failure or Default of the Collectors, subject nevertheless to such Proviso as in the said last-recited
'Act is contained for restraining the putting in Suit of such Bond against the Sureties of the Collectors:
'And whereas great Doubts and Difficulties have arisen with relation to the prosecuting of such Bonds
'upon the Failure or Default of the Collectors, and otherwise in the Execution of the said last-recited
'Act, and of other Acts granting Duties to be assessed, raised, and levied under the Regulations of the
'said Act; and it is expedient to remove such Doubts, and to facilitate the Execution of the said several
'Acts:' Be it therefore enacted, That so much of the said last-recited Act as provides that no such Bond as aforesaid shall be put in Suit against any Surety or Sureties for any Deficiency other than what shall remain unsatisfied after Sale of the Lands, Tenements, Goods, and Chattels of such Collector or Collectors, in pursuance and by virtue of the Directions and Powers given to the respective Commissioners by the said last-mentioned Act, shall be and the same is hereby repealed.

IV. And be it enacted, That upon the Trial of any Action or Suit against the Sureties of a Collector of any of the Duties aforesaid, or of the Duties arising from the Land Tax, upon any Bond entered into, either in pursuance of any Act relating to the said respective Duties or otherwise, or upon the Execution of any Writ of Inquiry of Damages in such Action or Suit, the Production of an Account in the Handwriting of such Collector, or signed by him, of any Sum or Sums of Money collected or received by him for or on account of the said respective Duties, or any of them, shall be sufficient Proof of the Receipt by such Collector of every such Sum and Sums of Money therein mentioned on account of the Duties given to him in charge for Collection; and that, as well in any such Action or Suit as aforesaid, as upon all other Occasions whatsoever, any Schedule delivered upon Oath by such Collector in pursuance of any such Act as aforesaid, and containing or purporting to contain the Names of Persons who have made default in Payment of the said respective Duties, or any of them, and of the Sums remaining in arrear, shall be sufficient Evidence to charge such Collector and his Sureties respectively with all other Sums of Money comprised in the Assessment or Assessments given to him in charge to collect, and not included in such Schedule or previously accounted for and paid over to the proper Officer for Receipt; and all such Sums not so included in such Schedule, or previously accounted for and paid over, shall be deemed to have been collected and received by such Collector, and to remain in his Hands unpaid and in arrear.

Evidence against Collectors and their Sureties of Sums collected and not paid over by the Collectors.

V. And be it enacted, That where in any Action or Suit by the Commissioners acting in the Execution of the said Acts, or of the Acts relating to the Land Tax, upon any Bond entered into, either in pursuance of

Costs awarded against Commissioners in

Actions or Suits relating to Collectors Bonds to be raised by Assessment on the Parish.

of any such Act or otherwise, the said Commissioners shall, without their own wilful Neglect or Default, fail to recover a Verdict against the Defendant or Defendants in such Action or Suit, and Costs shall be awarded to the said Defendant or Defendants, or where in case of any Suit in Equity being brought against the said Commissioners in relation to any such Bond, and they shall be adjudged to pay Costs to the Plaintiff or Plaintiffs in such last-mentioned Suit, the said Commissioners shall not be personally liable to the Payment of any such Costs, but the same shall be defrayed by an Assessment upon the Inhabitants of the Parish or Place in relation to which the Bond which shall have been the Subject of such Action or Suit shall have been given, and which Assessment the Commissioners acting in the Execution of the said respective Acts are hereby required and authorized to make, sign, and allow as soon as conveniently may be after such Costs shall have been awarded and ascertained; and the said Commissioners shall cause such Assessment to be made, collected, levied, and recovered in the same Manner as other Assessments of Costs are by the said recited Act or this Act directed to be made, collected, levied, and recovered, and shall cause the same to be paid over to the Person or Persons entitled to such Costs.

Powers and Provisions of Acts relating to the Recovery of Duties to be put in force for the Recovery of Costs.

VI. And be it enacted, That all the Authorities, Powers, and Provisions contained in any Act or Acts now in force relating to the Recovery of the Duties aforesaid, or any of them respectively, either under the Warrant of the Commissioners directed to the Collectors in their respective Districts, or by Process from Her Majesty's Court of Exchequer, shall be construed and deemed to be applicable to, and shall be applied, enforced, and put in execution for, the levying and enforcing the Payment of any Sum or Sums assessed by the said Commissioners for Costs, either under the Authority of this Act or of any other Act or Acts relating to the said Duties, or any of them respectively.

Commissioners of Stamps and Taxes to direct where Parties shall be assessed to the Property and Income Tax in certain Cases. 5 & 6 Vict. c. 35.

VII. 'And whereas an Act was passed in the last Session of Parliament, intituled *An Act for granting 'to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, until the Sixth 'Day of* April *One thousand eight hundred and forty-five*, and in the carrying of such Act into execution 'much Difficulty and Inconvenience is experienced by reason of Doubts as to the Districts, Parishes, or 'Places in which Corporations, Companies, Societies, and other Persons in certain Cases ought to be 'assessed for Profits under the several Schedules of the said Act, and by reason of their being liable to 'be assessed for Profits under One or more of the said Schedules in several Districts, Parishes, or Places;' for Remedy whereof be it enacted, That in any Case where any Doubt shall have arisen or shall arise as to the District, Parish, or Place, or Districts, Parishes, or Places, in which any Corporation, Company, Society, or Person ought to be charged or assessed to the Duties granted by the said last-recited Act under any One or more of the Schedules of the said Act, and also in any Case where any Corporation, Company, Society, or Person shall have been charged or assessed, or shall be liable to be charged or assessed, to the said last-mentioned Duties, under any One or more of the said Schedules, in Two or more Districts, Parishes, or Places, it shall be lawful for the Commissioners of Stamps and Taxes, or any Two or more of them, and they are hereby authorized and empowered, in any of the several Cases aforesaid, to order and direct that such Corporation, Company, Society, or Person shall be charged and assessed to the said Duties in such District, Parish, or Place, or Districts, Parishes, or Places, as shall appear to the said last-mentioned Commissioners to be most convenient and proper, and thereupon such Corporation, Company, Society, or Person shall be charged and assessed to the said Duties according to such Order, any thing in the said last-recited Act to the contrary notwithstanding.

For the Relief of Persons doubly assessed to the Property and Income Tax.

VIII. And for the Relief of Parties who may be doubly charged or assessed to the said last-mentioned Duties, be it enacted, That whenever it shall appear to the Satisfaction of the Commissioners of Stamps and Taxes that any Corporation, Company, Society, or Person hath been or shall have been, either by any Error, Mistake, or otherwise, assessed more than once to any of the said Duties for the same Cause and for the same Year, and either in the same District, Parish, or Place, or in different Districts, Parishes, or Places, it shall be lawful for the said last mentioned Commissioners, or any Two or more of them, to order and direct that the whole or so much and such Part of such One or more of the said Assessments as shall appear to them the said Commissioners to be a double Charge or Overcharge as aforesaid shall be vacated and discharged, and thereupon the same shall be by such Order vacated and discharged accordingly.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XXV.

An Act to enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Augusta Caroline*, eldest Daughter of His Royal Highness the Duke of *Cambridge*. [27th *June* 1843.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, having taken into consideration Your Majesty's most gracious Message, that Your Majesty's Consent has been given to a Marriage between Her Royal Highness the Princess *Augusta Caroline*, eldest Daughter of His Royal Highness the Duke of *Cambridge*, and His Royal Highness *Frederick*, Hereditary Grand Duke of *Mecklenburgh Strelitz*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Queen's most Excellent Majesty, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*,

Her Majesty may grant an Annuity of

Ireland, upon such Marriage taking place, to give and grant unto Her said Royal Highness the Princess *Augusta Caroline*, or to such other Person or Persons as Her Majesty shall think fit to be named in such Letters Patent, and his, her, or their Heirs, to the Use of or in Trust for Her said Royal Highness, an Annuity of Three thousand Pounds, which shall begin and take effect from and after the Decease of His said Royal Highness the Duke of *Cambridge* in case Her said Royal Highness shall survive him; and the said Annuity shall continue thenceforth for and during the natural Life of Her said Royal Highness, and shall be free and clear from all Taxes and Assessments, and all other Charges whatsoever, and shall be paid on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, by equal quarterly Payments, with a proportional Part of such Annuity from the last quarterly Day of Payment to the Day of the Decease of Her said Royal Highness; the first Payment thereof to be made on the first quarterly Day of Payment which shall happen next after the Decease of His said Royal Highness the Duke of *Cambridge*, of such Proportion of such Annuity as shall have accrued between the Decease of His said Royal Highness the Duke of *Cambridge* and such quarterly Day of Payment; and that the said Annuity of Three thousand Pounds shall, by such Letters Patent, be directed to be issuing and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, during the Remainder of the Life of Her said Royal Highness, after paying or reserving sufficient to pay all such Sums as shall have been directed to be paid out of the same by any Act or Acts of Parliament made before the Time of passing this Act, but with a Preference to all Payments which shall at any Time after the passing of this Act be charged upon the said Fund.

3,000*l.* to Princess Augusta Caroline, to take effect from the Decease of His Royal Highness the Duke of Cambridge.

CAP. XXVI.

An Act for regulating the Prison at *Millbank*. [27th *June* 1843.]

'WHEREAS it is expedient to repeal the Laws passed for the Establishment and Regulation of the 'Penitentiary House at *Millbank*, near *Tothill Fields*, in the County of *Middlesex*, and that the 'Buildings there should be used as a Prison for the Reception of such Offenders as are herein-after 'mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Thirty-fourth Year of the Reign of King *George* the Third, intituled *An Act for erecting a Penitentiary House or Houses for confining and employing Convicts;* and an Act passed in the Fifty-second Year of the same Reign, intituled *An Act for the Erection of a Penitentiary House for the Confinement of Offenders convicted within the City of* London *and County of* Middlesex; *and for making Compensation to* Jeremy Bentham *Esquire for the Nonperformance of an Agreement between the said* Jeremy Bentham *and the Lords Commissioners of His Majesty's Treasury respecting the Custody and Maintenance of Convicts;* and an Act passed in the Fifty-sixth Year of the same Reign, intituled *An Act to regulate the General Penitentiary for Convicts at* Millbank *in the County of* Middlesex; and an Act passed in the Fifty-ninth Year of the same Reign, intituled *An Act for the better Regulation of the General Penitentiary for Convicts at* Millbank; and an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled *An Act for the further Regulation of the General Penitentiary at* Millbank; and so much of an Act passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for establishing a new Court for the Trial of Offences committed in the Metropolis and Parts adjoining*, as relates to the said Penitentiary House; and so much of an Act passed in the Sixth Year of the same Reign, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, as relates to the said Penitentiary House; and an Act passed in the Seventh Year of the same Reign, intituled *An Act to amend the Acts for regulating the General Penitentiary at* Millbank; and so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the better ordering of Prisons*, as relates to the said Penitentiary House; and so much of an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws concerning Prisons*, as relates to the said Penitentiary House; and so much of Two Acts passed in this Session of Parliament, intituled, severally, *An Act for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, and *An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore*, as relates to the said Penitentiary House; and also so much of any other Act now in force as relates to the said Penitentiary House, shall be repealed, except so far as any of the said Acts may repeal the Whole or any Part of any other Act, and except as to any Offences which before the passing of this Act have been committed against any of the said Acts, which shall be punished as if this Act had not been passed, and except as to any thing before the passing of this Act done by any Person under the Authority of any of the said Acts, with respect to whom every Privilege and Protection given by any of the said Acts shall continue in force as if this Act had not been passed, and except as to any Rules or Things before the passing of this Act made or done by virtue of any of the said Acts, and except as to the Fulfilment of any Contract or Agreement before the passing of this Act made by virtue of any of the said Acts, and except as to the Term of Confinement of all Convicts received before the passing of this Act into the said Penitentiary House by virtue of any of the said Acts, who shall be confined therein for the same Periods as they would respectively have been liable to be confined if this Act had not been passed.

Repeal of 34 G. 3. c. 84. 52 G. 3. c. 44. 56 G. 3. c. 63. 59 G. 3. c. 136. 7 & 8 G. 4. c. 33. 4 & 5 W. 4. c. 36. ss. 5, 6, 7, & 8. 5 & 6 W. 4. c. 38. ss. 13, 14, & 15. 7 W. 4. & 1 Vict. c. 13. 2 & 3 Vict. c. 56., Part of s. 1, ss. 18, 19, 20, & 21. 5 & 6 Vict. c. 98. ss. 26, 27. 6 & 7 Vict. cc. 3, 4.

II. And be it declared and enacted, That the Lands and Tenements purchased for the Establishment of the said Penitentiary House, or thereunto in anywise belonging, with all Furniture and Fixtures therein, now

Lands and Buildings vested in Her Majesty.

now belonging to Her Majesty, or hereafter provided for the Use of the Prison, shall be and continue vested absolutely in Her Majesty, Her Heirs and Successors.

Enactment as to Millbank Prison.

III. And be it enacted, That after the passing of this Act the said Penitentiary House shall be called "The *Millbank* Prison," and shall be used as a Prison for such Offenders as are herein-after specified, and shall be within the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England and *Wales, and for appointing Inspectors of Prisons in* Great Britain, and of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the better ordering of Prisons*, and of an Act passed in the last Session of Parliament, intituled *An Act to amend the Laws concerning Prisons.*

5 & 6 W. 4. c. 38.

2 & 3 Vict. c. 56.

5 & 6 Vict. c. 98.

Prison to be exempt from Rates and Taxes.

IV. And be it enacted, That the said Prison, and all the Lands, Tenements, and Hereditaments thereunto belonging, with the Appurtenances thereof, and all Persons in respect thereof, shall be wholly freed and discharged from all Taxes, Rates, Assessments, and Charges whatsoever.

Appointment of Officers.

V. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint for the said Prison, and at his Pleasure to remove, a Governor, a Chaplain or Chaplains (being Clergymen not having any other Cure of Souls), a Medical Officer, and a Matron, and so many other Officers and Servants as he shall deem to be necessary for the Service and Discipline of the Prison; and the several Persons who shall be the Governor, Chaplains, Surgeon or Apothecary, Matron, and other Officers of the said Penitentiary at the Time of the passing of this Act shall continue to hold the like Offices in the *Millbank* Prison until they shall die, resign, or be removed by the Secretary of State, and shall continue, as Officers of the *Millbank* Prison, to hold all Records, Books, and Papers which were in their Custody as Officers of the said Penitentiary House; and the Secretary of State, with the Approval of the Commissioners of Her Majesty's Treasury, shall fix the Salaries to be paid to the said Governor, Chaplains, Medical Officer, Matron, and other Officers and Servants of the Prison: Provided always, that no Chaplain shall officiate at the said Prison unless he shall have obtained a Licence from the Bishop of the Diocese of *London* to officiate at the said *Millbank* Prison or at the said Penitentiary House, nor for any longer Time than while such Licence shall be in force; and Notice of every such Appointment of a Chaplain shall be sent to the Bishop by the Secretary of State within One Calendar Month next after such Appointment.

Secretary of State may require Security from any Officer.

VI. And be it enacted, That it shall be lawful for the Secretary of State, if he shall deem it necessary, to require any Person employed in the said Prison to give Security for the due Performance of his or her Duties, in such Sums, and with such collateral Securities, and in such Form, as the Secretary of State shall direct.

For ousting dismissed Officers.

VII. And be it enacted, That every Person appointed to any Office or Employment in the said Prison who shall be removed from his or her Office or Employment shall quit the said Prison forthwith, or within such Time as shall be allowed by One of the said Inspectors; and if he or she shall refuse or neglect to give up Possession of any House, Building, or Apartment therein or belonging thereto within such Period as shall be fixed by the Secretary of State in any Order or Notice in Writing, not being less than Forty-eight Hours after the Delivery to such Person of any such Order or Notice, then it shall be lawful for the Secretary of State, by Warrant under his Hand and Seal, to direct the Sheriff of the County to remove such Person out of the Prison, and the said Sheriff shall thereupon clear the Possession thereof, so far as relates to any Part of the Prison, or any House, Building, or Apartment therein or belonging thereto, occupied by or in possession of such Person, in like Manner as upon a Writ of Habere facias possessionem.

Inspectors to have the same Powers as Visiting Justices.

VIII. And be it enacted, That such of the Inspectors of Prisons as shall be appointed for that Purpose by One of Her Majesty's Principal Secretaries of State shall have the same Powers and Duties with respect to the said Prison which the Visiting Justices of any other Prison have with respect to their Prison, and that the Justices of the Peace for the County of *Middlesex* or for the City and Liberty of *Westminster* shall not have any Power or Jurisdiction with respect to the said Prison; and all Enactments respecting the Visiting Justices of any Prison shall be deemed to apply to the said Inspectors with respect to the *Millbank* Prison; and the said Inspectors shall hold Meetings, and they or any Two of them shall be empowered from Time to Time to make and alter Rules for their Meetings and for all Matters relating thereunto, and also for the Government of the said Prison, and for the Duties and Conduct of the Governor and other Officers of the Prison, and for the Diet, Clothing, Maintenance, Employment, and Discipline of the Convicts imprisoned therein, as to the said Inspectors shall seem fit; provided that no such Rule, whether it be original, or an Amendment or Revocation of a former Rule, shall be enforced until it shall have been approved by One of Her Majesty's Principal Secretaries of State.

Inspectors to visit the Prison.

IX. And be it enacted, That One of the said Inspectors shall from Time to Time visit the *Millbank* Prison during the Intervals between their Meetings, and may make any Order or give any Direction, in Cases of pressing Emergency, within the said Prison, which might be made or given by the said Inspectors; provided that every such Order or Direction shall be in Writing, and shall be reported, with the Circumstances by which the same was occasioned, to the Inspectors at their next Meeting.

Inspectors to be a Body Corporate with Power to make Contracts.

X. And be it enacted, That the said Inspectors and their Successors in Office shall be a Body Corporate for the Purposes of this Act, and shall sue and be sued by the Name of "The Inspectors of the *Millbank* Prison," and shall have Power in that Capacity to make Contracts with any Persons whomsoever for the Clothing, Diet, and other Necessaries required for the Use of such Prison, and for all Repairs, Alterations, and Additions thereto, and for the Implements and Materials for any Kind of Manufacture or Trade in which Convicts confined in such Prison shall be employed, and also to carry on such Manufacture or Trade

Trade in such Prison, and to sell such Goods, Wares, and Merchandize as shall there be wrought or manufactured.

Inspectors to report to the Secretary of State.

XI. And be it enacted, That the said Inspectors shall on or before the Tenth Day of *March* in each Year, and oftener if required by One of Her Majesty's Principal Secretaries of State, make Reports in Writing, under the Hands of Two or more of them, to the Secretary of State, specifying the State of the Buildings, the Behaviour and Conduct of the Officers of the Prison and of the Convicts, and the Expence of such Prison, and such other Matters relating to the Discipline and Management of such Prison as they shall deem expedient, or as the Secretary of State shall direct; and every such Report shall be laid before both Houses of Parliament within One Calendar Month next after the Receipt thereof if Parliament shall be then sitting, or if not, then within One Calendar Month after the then next Meeting of Parliament.

Reports to be laid before Parliament.

Offenders under Sentence of Transportation may be removed to the Millbank Prison.

XII. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct the Removal to the *Millbank* Prison of any Convict under Sentence or Order of Transportation, who, having been examined by an experienced Medical Officer, shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol, Prison, or Place in which such Offender shall be confined; and the Sheriff or Gaoler having the Custody of any Convict whose Removal to the *Millbank* Prison shall be ordered in manner aforesaid shall, with all convenient Speed after the Receipt of any such Order, convey or cause to be conveyed every such Convict to the said Prison, and, if upon Examination by a Medical Officer of the *Millbank* Prison he or she shall appear fit to be received into the Prison, shall there deliver him or her into the Custody of the Governor of the *Millbank* Prison, with a true Copy, attested by such Sheriff or Gaoler, of the Caption and Order of the Court by which such Convict was sentenced, containing the Sentence of every such Convict by virtue of which he or she shall be in the Custody of such Sheriff or Gaoler, and also a Certificate specifying such Particulars within the Knowledge of the Sheriff or Gaoler concerning such Convict as may be from Time to Time directed by One of Her Majesty's Principal Secretaries of State; and the Governor of the *Millbank* Prison shall give a Receipt in Writing for every Convict received into his Custody to the Sheriff or Gaoler for his Discharge; and all reasonable Expences which the Sheriff or Gaoler shall incur in every such Removal shall be paid by the County, Riding, Division, City, Borough, Liberty, or Place for which the Court in which the Offender shall be convicted shall have been holden.

Reception of Convicts.

XIII. And be it enacted, That when any Convict who shall be ordered to be confined in the said Prison shall be brought thither in pursuance of the Powers contained in this Act, he or she shall continue in the Custody of the Person in whose Custody he or she shall have been brought to the Prison until he or she shall have been examined by a Medical Officer of the said Prison, and until it be certified by such Medical Officer that he or she is fit to be received into the Prison; and if the Medical Officer shall certify that he or she is not fit to be received there, he or she may be conveyed back, in the same Custody, to the Prison or Place of Confinement from which he or she was brought.

Terms of Imprisonment.

XIV. And be it enacted, That every Convict in the Custody of the Governor of the *Millbank* Prison shall continue there until he or she shall be transported according to Law, or conditionally pardoned, or shall become entitled to his or her Freedom, or until the Secretary of State shall direct the Removal of such Convict to any other Prison or Place of Confinement in which he or she may be lawfully imprisoned: Provided always, that every such Convict shall nevertheless be within the Provisions of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act for the Transportation of Offenders from* Great Britain, in case One of Her Majesty's Principal Secretaries of State shall direct that he or she shall be afterwards removed from the *Millbank* Prison, as herein provided.

5 G. 4. c. 84.

Discharge of Convicts.

XV. And be it enacted, That no Convict in the Custody of the Governor of the *Millbank* Prison shall be dismissed from the said Prison, at the End or other Determination of his or her Term, if he or she shall then labour under any acute or dangerous Distemper, unless at his or her Request; and when such Convict shall be finally discharged, such decent Clothing and such Assistance in Money or otherwise as shall be judged proper by One of Her Majesty's Principal Secretaries of State shall be given to such Convict.

Hours of Work.

XVI. And be it enacted, That such Convicts may be employed in Work at the said Prison every Day in the Year, except *Sundays*, *Christmas Day*, *Good Friday*, and any Day appointed for a General Fast or Thanksgiving, so many Hours, not exceeding Twelve, exclusive of the Time allowed for Meals and Exercise, as the Inspectors shall order: Provided always, that the said Inspectors, by a written Order, may allow any Convict, at his or her own Request, to labour for a longer Time than is required by the Rules of the Prison.

None but privileged Persons and Officers to enter any of the Apartments of the Prison.

XVII. And be it enacted, That no Person, except the Bishop of the Diocese of *London*, the Judges of Her Majesty's Superior Courts of Law at *Westminster*, Her Majesty's Principal Secretaries of State, and the Inspectors, Officers, and Servants of the Prison, or such Persons as shall be authorized according to the Rules made by the said Inspectors, shall be allowed at any Time to enter any Part of the Prison or Airing Yards allotted to or used by the Prisoners, or to converse or hold Communication of any Kind with any of them.

Governor to have the same Power over Prisoners in his Custody as a Sheriff or Gaoler.

XVIII. And be it enacted, That the Governor of the *Millbank* Prison, or other Person having the Custody of Convicts under his Direction, shall, during the Term for which such Convicts shall be in his Custody, have the same Powers over such Convicts as are incident to the Office of Sheriff or Gaoler, and in case of any Abuse of such Custody, or other Misbehaviour or Negligence in the Discharge of his Office, shall be liable to the same Punishment to which a Gaoler is liable by Law.

Convicts Punishment for assaulting Governor or other Officers.

XIX. And be it enacted, That if any Convict in the *Millbank* Prison shall assault the Governor or any Officer or Servant employed therein, the Commissioners may order him or her to be prosecuted for the said Offence, and upon Conviction thereof such Convict shall be liable to be imprisoned for any Term not exceeding Two Years, in addition to the Term for which at the Time of committing such Offence he or she was subject to be confined, and, if a Male, shall also be liable to corporal Punishment, if the Court shall so order.

Convicts may be removed from the Prison as incorrigible.

XX. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State at any Time to order any Convict to be removed from the *Millbank* Prison as incorrigible; and in every such Case the Convict so removed shall be liable to be transported under his or her original Sentence of Transportation, to the full Extent of the Term specified in such Sentence, and shall be liable to all the Consequences of such Sentence in the same Manner as if no Order for sending him or her to the *Millbank* Prison had been made.

Insane Convicts to be removed to Lunatic Asylums.

XXI. And be it enacted, That if any Convict in the said Prison shall become or be found to be insane during such Confinement upon the Certificate of Two Physicians or Surgeons, and shall be so reported by the Inspectors to One of Her Majesty's Principal Secretaries of State, it shall be lawful for such Secretary of State, by Warrant under his Hand, to order that such Insane Convict shall be forthwith removed to such Lunatic Asylum as the said Secretary of State may judge proper; and every Convict so removed shall remain under Confinement in such Asylum, or in any other Lunatic Asylum to which such Convict may be lawfully removed, until it shall be duly certified to One of Her Majesty's Principal Secretaries of State by Two Physicians or Surgeons that such Convict has become of sound Mind, whereupon, if the Time for which such Convict was sentenced to be imprisoned shall not have expired, the Secretary of State shall be authorized to issue his Warrant to the Governor or other Person having the Care of such Asylum, ordering that such Convict be remanded to the *Millbank* Prison, or, if the Period of Imprisonment of such Convict shall have expired, that he or she be discharged.

Punishment of Convicts for breaking Prison.

XXII. And be it enacted, That every Convict in the *Millbank* Prison who at any Time during the Term of his or her Imprisonment shall break Prison, or who, while being conveyed to such Prison, shall escape from the Person or Persons having the lawful Custody of such Convict, shall be punished by an Addition not exceeding Three Years to the Term of his or her Imprisonment, and if afterwards convicted of a Second Escape or Breach of Prison shall be adjudged guilty of Felony; and every Convict in the *Millbank* Prison who at any Time during the Term of his Imprisonment shall attempt to break Prison, or who shall forcibly break out of his or her Cell, or make any Breach therein with Intent to escape therefrom, shall be punished by an Addition not exceeding Twelve Calendar Months to the Term of his or her Imprisonment.

Punishment of Persons rescuing or assisting the Rescue of Prisoners.

XXIII. And be it enacted, That every Person who shall rescue any Convict either during the Time of his or her Conveyance to or from the said Prison or of his or her Imprisonment therein, and also every Person who shall aid in any such Rescue, shall be guilty of Felony; and every Person having the Custody of any such Convict as aforesaid, or being employed by the Person having such Custody as a Keeper, Under-keeper, Turnkey, Assistant, or Guard, who shall knowingly and wilfully allow such Convict to escape, and also every Person who, by supplying Arms, Tools, or Instruments of Disguise, or otherwise, shall in any Manner aid any such Convict in any Escape, though no Escape be actually made, and every Person who shall attempt to rescue any such Convict or aid in any such Attempt, though no Rescue be actually made, shall be guilty of Felony; and every Person having such Custody as aforesaid who shall carelessly allow any such Convict to escape shall be guilty of a Misdemeanor, and being lawfully convicted of such Misdemeanor shall be liable to Fine or Imprisonment, or to both, at the Discretion of the Court.

Punishing Officers, &c. for furnishing Convicts with prohibited Articles.

XXIV. And be it enacted, That every Officer or Servant of the *Millbank* Prison who shall bring or carry out, or endeavour to bring or carry out, or knowingly allow to be brought or carried out, to or for any such Convict, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles whatsoever not allowed by the Rules of the Prison, shall be forthwith suspended from his or her Office by the Governor of the Prison, who shall report the Offence to the Inspectors at their next Meeting, and the Inspectors shall inquire thereof upon Oath, which they shall be empowered to administer, and upon Proof of the Offence shall dimiss such Officer or Servant, and may also, if they shall think fit, cause the Offender to be apprehended and carried before a Justice of the Peace, who shall be empowered to hear and determine any such Offence in a summary Way; and every such Officer or Servant, upon Conviction of such Offence before a Justice of the Peace, shall be liable to pay a Penalty not exceeding Fifty Pounds, or, in the Discretion of the Justice, to be imprisoned in the Common Gaol or House of Correction, there to be kept, with or without hard Labour, for any Time not exceeding Six Calendar Months.

Penalty for false Evidence.

XXV. And be it declared and enacted, That every Person who upon Examination on Oath or Affirmation before the said Inspectors shall wilfully give false Evidence shall be liable to the Pains and Penalties of Perjury.

Mode of Trial and Conviction.

XXVI. And be it enacted, That every Convict or other Person who shall commit any Offence mentioned in this Act or in any way relating to the *Millbank* Prison, for which he or she is not liable to be summarily convicted, may be tried before the Justices of Oyer and Terminer either at the Central Criminal Court or for the County in which the Offender shall be taken; and in any Case of any Prosecution for any such Offence either against a Convict or against any other Person or Persons concerned therein or accessory thereunto, a Copy, properly attested, of the Order of Commitment to such Prison, with Proof that the Person then in question before the Court is the same who was delivered with such Order, and Production

Production of the Register of the said Prison, shall be sufficient Evidence of all the Facts entered in such Register as to such Convict, without the Production of any Record or Conviction or other Proof that such Convict had been convicted of Felony, and legally ordered to be imprisoned in the *Millbank* Prison.

Expences of executing this Act.

XXVII. And be it enacted, That an Account of the Expences of carrying this Act into execution shall be annually laid before both Houses of Parliament, and shall be provided for by Parliament.

Protection of Inspectors and Governor.

XXVIII. And be it enacted, That the Provisions of all Acts of Parliament now or which at any Time hereafter shall be in force for rendering Justices of the Peace safe in the Execution of their Offices, shall extend to the said Inspectors and to the Governor of the *Millbank* Prison.

Limitation of Actions.

XXIX. And be it enacted, That all Suits and Prosecutions to be commenced by any Person or Persons for any thing done in pursuance of this Act shall be laid or tried in the County or Place where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise.

Act may be amended, &c.

XXX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. XXVII.

An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty-four, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and forty-three. [4th *July* 1843.]

[*This Act is the same, except as to Dates, and the Sections here inserted, as 5 & 6 Vict. c. 34.*]

The Treasury may direct Exchequer Bills to be made out not exceeding 3,000,000*l*.

VI. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury, at any Time or Times, to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole, including any Sum or Sums of Money issued towards the Aids or Supplies in pursuance of this Act, the Sum of Three Millions, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another Act passed in the last Session of Parliament, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills.*

48 G. 3. c. 1.

4 & 5 W. 4. c. 15.

5 & 6 Vict. c. 66.

Powers of recited Acts extended to this Act

VII. And be it enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts passed in the Forty-eighth Year of the Reign of King *George* the Third, and in the Fourth and Fifth Years of the Reign of His said late Majesty, and in the last Session of Parliament, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear an Interest.

VIII. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear an Interest not exceeding the Rate of Four Pounds *per Centum per Annum* upon or in respect of the whole of the Monies respectively contained therein.

Bills to be delivered to the Bank of England as Security for Advances.

X. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause such Bills as shall be prepared by virtue of this Act to be delivered from Time to Time to the Governor and Company of the Bank of *England*, in such Proportions as the Public Service may require, as Security for the Advance or Advances which may be made to Her Majesty by the said Governor and Company of the Bank of *England* under the Authority of this Act.

Exchequer Bills to be charged on the Duties granted by this Act.

XI. And be it enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the Duties granted by this Act; and it shall be lawful for the said Commissioners of Her Majesty's Treasury from Time to Time to direct to be issued to the Paymasters of Exchequer Bills, by way of Imprest and upon Account, such Sums of Money and at such Periods as the said Commissioners shall think necessary for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills or any of them.

Treasury to allow necessary Charges of making forth new Exchequer Bills.

XIV. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to pay and allow, or cause to be paid and allowed, out of the Monies to arise of or from the said Duties hereby granted, or of or from the said Consolidated Fund, from Time to Time, the necessary Charges of making forth the Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident to or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

C A P. XXVIII.

An Act to abolish the Roman Catholic Oath as a Qualification for Voters at Elections in *Ireland.* [4th *July* 1843.]

'WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Relief of His Majesty's Roman Catholic Subjects*, it was, amongst other things enacted, that Persons professing the Roman Catholic Religion, being otherwise qualified,

10 G. 4. c. 7.

'should be entitled to vote at Elections of Members to serve in Parliament upon their taking and subscribing a certain Oath therein set forth, which said Oath was thereby substituted for and directed to 'be taken in place of the several Oaths of Allegiance, Supremacy, and Abjuration, and instead of the 'Declaration at that Time required, and instead also of such other Oath or Oaths as were then by Law 'required to be taken by any of His Majesty's Subjects professing the Roman Catholic Religion: And 'whereas another Act was passed in the Second and Third Years of the Reign of His late Majesty King
2 & 3 W. 4. c. 88. 'William the Fourth, intituled *An Act to amend the Representation of the People of* Ireland: And whereas 'Doubts have existed whether, under the Provisions of the said last-mentioned Act, it continues to be necessary for Persons professing the Roman Catholic Religion in *Ireland*, being otherwise qualified, to take 'and subscribe the said Oath previous to voting at the Election of Members to serve in Parliament, and 'great Diversity of Practice has prevailed in this respect: And whereas it is expedient that such Doubts 'should be removed:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act

Roman Catholics not to be required at Elections to take the Oath required by 10 G. 4. c. 7.

Person professing the Roman Catholic Religion in *Ireland*, being otherwise qualified, shall be required to take the said Oath previous to voting at the Election of Members to serve in Parliament, and that Her Majesty's Roman Catholic Subjects shall be admitted to vote at such Elections on the same Conditions and on the taking of the same Oaths as are by Law required to be taken at Elections by Her Majesty's Protestant Subjects in that Part of the United Kingdom.

CAP. XXIX.

An Act for reducing the Duty on Wheat and Wheat Flour, the Produce of the Province of *Canada*, imported thence into the United Kingdom. [12th *July* 1843.]

'WHEREAS on the Twelfth Day of *October* One thousand eight hundred and forty-two an Act was 'passed by the Legislative Council and Legislative Assembly of the Province of *Canada*, and 'reserved by the Governor General for the Signification of Her Majesty's Pleasure, imposing a Duty of 'Three Shillings Sterling Money of *Great Britain* on each Imperial Quarter of Wheat imported into '*Canada*, except from the United Kingdom or any of Her Majesty's Possessions, and being the Growth 'and Produce thereof: And whereas it is recited in the said Act that it was passed in the confident Belief 'and Expectation that upon the Imposition of a Duty upon Foreign Wheat imported into the Province 'Her Majesty would be graciously pleased to recommend to Parliament the Removal or Reduction of 'the Duties on Wheat and Wheat Flour imported into the said United Kingdom from *Canada*: And 'whereas, in consideration of the Duty so imposed by the said Act of the Legislature of *Canada*, it is 'expedient that, if Her Majesty shall be pleased to give Her Sanction to the said Act, the Duties imposed
5 & 6 Vict. c. 14. 'by an Act made and passed in the last Session of Parliament, intituled *An Act to amend the Laws 'for the Importation of Corn*, upon Wheat and Wheat Flour, the Produce of and imported from the 'Province of *Canada*, entered for Home Consumption in the United Kingdom, should be reduced as 'herein-after is mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Duties to be levied after the 10th October 1843.

assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and forty-three, and thenceforth during the Continuance of the Duty so imposed by the said Act of the Legislature of *Canada* as aforesaid, there shall be levied and paid upon all Wheat and Wheat Flour, the Produce of the said Province of *Canada*, which shall be imported thence into the United Kingdom after the said Tenth Day of *October*, and shall be entered for Home Consumption, (the same having been shipped and imported with such Declarations and Certificates as are required in respect thereof in and by the said Act passed in the last Session of Parliament,) in lieu of the Duties charged thereon by the said Act of Parliament, the Duties following; (namely,)

For every Quarter of such Wheat One Shilling, and so in proportion for a less Quantity:

For every Barrel, being One hundred and ninety-six Pounds of such Wheat Flour, a Duty equal in Amount to the Duty which would hereby be payable upon Thirty-eight Gallons and a Half of Wheat, and so in proportion for a less Quantity:

And the said Duties hereby charged shall be levied, collected, paid, and applied in such and the same Manner in all respects as if the same had been imposed by the said Act of Parliament: Provided always, that nothing in this Act contained shall repeal, reduce, or alter the Duties payable under the said Act of Parliament upon Wheat or Wheat Flour, the Produce of *Canada*, which shall be imported into the United Kingdom previous to the said Tenth Day of *October* One thousand eight hundred and forty-three, notwithstanding the same shall not be entered from the Warehouse or otherwise for Home Consumption until after that Day.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XXX.

An Act to amend the Law relating to Pound-breach and Rescue in certain Cases.

[12th *July* 1843.]

'WHEREAS it frequently happens that Cattle which are lawfully impounded, or which are lawfully seized for the Purpose of being impounded, are rescued from the Pound or Place in which they are so impounded, or on the Way to or from such Pound or Place, and the Expence of prosecuting such Offenders, or obtaining Redress for the Injury occasioned by such Rescue to the Persons so entitled to distrain, is usually out of proportion to the Damage for which such Cattle are distrained: And whereas it is expedient, for Remedy thereof, to enable Two or more of Her Majesty's Justices of the Peace to try such Offenders in a summary Way, and award such Redress as herein-after mentioned to the Persons on whose Behalf the Cattle so rescued shall have been distrained:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Person or Persons shall release or attempt to release any Horse, Ass, Sheep, Swine, or other Beast or Cattle, which shall be lawfully seized for the Purpose of being impounded, in consequence of having been found wandering, straying, or lying or being depastured on any inclosed Land without the Consent of the Owner or Occupier of such inclosed Land, from the Pound or Place where the same shall be so impounded, or on the Way to or from any such Pound or Place, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto or with which the same shall be fastened, every Person so offending shall, upon Conviction thereof before any Two of Her Majesty's Justices of the Peace, forfeit and pay any Sum not exceeding Five Pounds, together with reasonable Charges and Expences, or in default thereof be committed by such Justices, by Warrant under their Hands and Seals, to the House of Correction of the County wherein the said Offence shall have been committed, there to be kept to hard Labour for any Time not exceeding Three Calendar Months nor less than Fourteen Days, unless such Sum of Money and Costs as aforesaid shall be sooner paid; and it shall be lawful for the said Justices to award the Whole or any Portion of such Penalty to the Person or Persons on whose Behalf such Cattle were distrained.

Persons releasing or attempting to release Cattle impounded, or damaging any Pound, &c. upon Conviction before Two Justices, to forfeit 5*l.* and Expences, and in default of Payment to be imprisoned.

II. Provided always, and be it enacted, That nothing herein contained shall authorize any Justices of the Peace to hear and determine any Case of Pound-breach or Rescue in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing therefrom, or as to any Bankruptcy or Insolvency, or any Execution under the Process of any Court of Justice, or as to the Obligation of maintaining, repairing, or keeping in repair any Wall, Hedge, Paling, Ditch, sunk Fence, or Fence whatsoever.

Justices not to hear Cases where Questions of Title arise, or as to any Bankruptcy, &c.

III. And be it enacted, That it shall and may be lawful to and for any Justice of the Peace, upon Information or Complaint being made upon Oath before him by any Person of any Offence against the Provisions of this Act, to summon the Party accused to appear before any Two Justices of the Peace within whose Jurisdiction the Offence shall have been committed, at a Time and Place to be named in such Summons, and upon the Appearance of such Party, or in his Absence in case he shall not appear according to the Tenor of such Summons, any such Justices before whom such Party shall have been so summoned to appear shall and may (upon Proof of the Service of such Summons) proceed to examine into the Matter, and upon due Proof made of such having been committed, either by Confession of the Party accused or upon the Oath of One or more credible Witness or Witnesses, to give Judgment or convict for the Penalty and Costs (as the Case may be).

Summonses may be issued against Offenders, who, on Proof before Two Justices, shall be convicted in Penalty and Costs.

IV. And be it enacted, That every such Justice of the Peace may, without issuing any Summons, forthwith issue his Warrant to any Constable for the Apprehension of any Person charged under this Act, whenever good Grounds for so doing to his Satisfaction shall be stated on Oath before him.

Offenders may be apprehended by Warrant of a Justice.

CAP. XXXI.

An Act to enable the Commissioners of *Chelsea* Hospital to purchase certain Parcels of Land for the Benefit of the said Hospital, and for other Purposes. [12th *July* 1843.]

'WHEREAS Colonel *John Drouley* by his Will gave all his Residuary Estate, after Payment of certain Legacies, to be equally divided between the Royal Hospitals of *Chelsea* and *Greenwich*, to be paid to the Treasurers of the said Hospitals, to be applied for the Use and Benefit of the Pensioners of the said respective Hospitals in such Manner as the Governors and Directors thereof should order and direct: And whereas it would tend to the Benefit of the said Hospital at *Chelsea*, and the Pensioners thereof, if certain Lands adjoining the said Hospital were purchased by the Lords and others Commissioners of *Chelsea* Hospital in furtherance of the Objects of the said Colonel *Drouley*'s Will:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Whole or any Part of the Residuary Estate of the said Colonel *John Drouley* belonging to *Chelsea* Hospital shall and may be applied in the Purchase of and Payment for certain Parcels of Land and Buildings adjoining the said Hospital, or for any other Pieces or Parcels of Land or Buildings the Purchase of which may, in the Opinion of the Commissioners of *Chelsea* Hospital, be beneficial to the said Hospital or the Pensioners thereof, or which may be necessary to prevent or remove Annoyance or Injury from the Vicinity of the said

Application of Estate of the late Colonel John Drouley to certain Purchases.

said Hospital; and the said Pieces or Parcels of Land shall and may be conveyed to and held by the Commissioners of the said Royal Hospital of *Chelsea* for the Time being and their Successors, or conveyed to a Trustee or Trustees on their Behalf, for the Use and Benefit of the said Royal Hospital.

Commissioners empowered to sell or exchange the Lands so purchased for other Lands.

II. And be it enacted, That it shall and may be lawful for the said Commissioners of *Chelsea* Hospital and their Successors, or for any Trustee or Trustees for the said Commissioners by their Direction, signified under the Hand of the Secretary of the said Royal Hospital for the Time being, as and when the said Commissioners from Time to Time may deem expedient, to make sale, alien, and dispose of, or to convey in Exchange for or in lieu of other Lands or Tenements, any Pieces or Parcels of Land so contracted for, or previously purchased with any Part of the Legacy of the said Colonel *Drouley*, which may not, in the Opinion of the said Commissioners, be required for the Use and Benefit of the said Hospital, and the Inheritance thereof, in Fee Simple or otherwise, to any Person or Persons whomsoever, or any Body Politic or Corporate, for such Price or Prices in Money (or for such Equivalent or Recompence in other Land or Tenements) as to the said Commissioners of *Chelsea* Hospital and their Successors shall seem reasonable, and to make and execute all Acts, Deeds, Matters, and Things requisite or necessary for completing any Sale or Exchange to and with any Person or Persons, their Heirs or Assigns, or to and with any Body Politic and Corporate and their Successors as aforesaid, who may purchase or agree to purchase any such Pieces or Parcels of Land or Tenements from the said Commissioners of *Chelsea* Hospital, and to give full, complete, and sufficient Receipts, Releases, and Discharges for the Purchase Money thereof.

Commissioners empowered to grant Leases.

III. And be it enacted, That it shall be lawful for the Commissioners of *Chelsea* Hospital and their Successors, and for any Trustee or Trustees of the said Lands and Tenements, by their Direction, signified as aforesaid, from Time to Time and at all Times hereafter, in such Manner as they shall deem expedient, to grant Leases of all or any of the Pieces or Parcels of Land so contracted for, or heretofore purchased with any Portion of the Legacy of the said Colonel *Drouley*, unto any Person or Persons, for any Term or Number of Years not exceeding Twenty-one Years for any such Lease, unless the same be a building or repairing Lease, and not exceeding Eighty Years for any such building or repairing Lease, and to take Effect in Possession only, and not in Reversion or by way of future Interest, and so as in all such Leases there be respectively reserved and made payable during the Continuance thereof the best yearly Rent or Rents which can be reasonably obtained for the same, without taking any Fine, Premium, or Foregift for the making thereof, and so as in every such Demise and Lease there be contained a Condition of Re-entry for Nonpayment of the Rent thereby reserved, and so as the respective Lessees duly execute Counterparts of their said Leases respectively.

CAP. XXXII.

An Act to amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in *Ireland*. [12th *July* 1843.]

3 & 4 Vict. c. 108. s. 20.

3&4 Vict. c. 109.

5 & 6 Vict. c. 77.

'WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, it was enacted, that the Boundaries of the several Boroughs named in Schedule (A.) to that Act annexed should, for the Purposes of that Act, be taken to be according to the Description of such Boundaries set forth in Schedule (C.) to that Act annexed; and by another Act passed in the same Session of Parliament, intituled *An Act to annex certain Parts of certain Counties of Cities to adjoining Counties, to make further Provision for Compensation of Officers in Boroughs, to limit the Borough Rate, and to continue for a limited Time an Act to restrain the Alienation of Corporate Property, in* Ireland, it was enacted, that, for the Purposes of the said first-recited Act, and of that Act, all Places locally situate or included within the Boundaries of any of the Boroughs of *Cork*, *Dublin*, *Kilkenny*, *Limerick*, *Waterford*, and *Drogheda*, as defined under the said first-recited Act, should, from and after the Time when the said Act secondly above mentioned should come into operation, be deemed and taken to be Part or Parts of the County of the City or County of the Town of such Borough respectively, and of no other County; and every Portion, Place, or Precinct of every County of a City or County of a Town not under the said Acts included within any such Borough should, until Provision in that Behalf should be otherwise made under and by virtue of the said last-mentioned Act, be one Barony in itself, and should, for all Purposes of Grand Jury Presentments and of Criminal Jurisdiction, and also of Civil Jurisdiction of the Superior Courts of Common Law in *Dublin*, be Part of the County at large which was adjacent to it, or with which it had the largest common Boundary: And whereas under the said recited Acts certain Parts or Portions of the old Liberties of some of such Counties of Cities and Counties of Towns, and certain Parts of Parishes and other Denominations thereof, are included within the Boundaries of the Counties of such Cities or Towns as defined under the Provisions of the said recited Acts; and other Parts or Portions of the Liberties of the same Cities or Towns, and of such Parishes and other Denominations thereof, not being within such Boundaries, have, for the Purposes of Grand Jury Presentments, among others, become Part of the adjoining Counties: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to enable Grand Juries at the ensuing Summer and Spring Assizes to make certain Presentments in Counties of Cities and Towns in* Ireland; *and to remove Doubts as to the Jurisdiction of Justices of the Peace in Places recently annexed to Counties at large in* Ireland, it was enacted, that at every Assizes to be holden for any such County of a City or County of a Town in *Ireland*, as in the said Act mentioned, it should be lawful to and for the

Grand

'Grand Jury of such County of a City or Town to present all and every such Sum and Sums as might 'be lawfully presented pursuant to any Act in force in *Ireland* relating to Grand Jury Presentments, 'previous to the said Acts coming into operation within each such County of a City or Town respectively; 'provided that all and every such Sum or Sums when so presented, and all Sums which might be or have 'been legally added thereto by the Treasurer of such County of a City or County of a Town if the said 'recited Acts had not passed, and all Sums duly presented at the then last Spring or Summer Assizes, 'and not theretofore levied, should be assessed, applotted, levied, and raised off such County of a City or 'Town, as the same is defined under the said recited Acts, without reference to previously existing 'Exemptions or Compositions for any particular Parish, District, or other Denomination: And whereas 'an Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of 'His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating* 6&7W.4.c.116. '*to the Presentment of public Money by Grand Juries in* Ireland; and by reason of the Provisions con- 'tained in the said last-mentioned Act, and in the said several Acts herein-before recited, and also by 'reason of the Conflict therewith of the Provisions of certain Local Acts in force within some of the 'Counties of Cities and Counties of Towns to which the Provisions herein-before mentioned of the said 'several Acts are applicable, it has been found for the most part impracticable to proceed in the Present- 'ment, Assessment, Applotment, and Levy of Grand Jury Cess in Counties of Cities and Counties of 'Towns in *Ireland*:' For Remedy whereof, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Sums to be presented or which shall be re-presented by the Grand Jury at any Assizes in or for any County of a City or County of a Town in *Ireland* herein-before mentioned, except the County of the City of *Dublin*, shall be apportioned, applotted, raised, and levied on and off all Lands, Houses, and Tenements situate within such County of a City or County of a Town, as defined under the said recited Acts of Her present Majesty's Reign, without regard to parochial or other Distinctions or Divisions whatsoever, according to the net annual Value of such Lands, Houses, and Tenements respectively as now or from Time to Time hereafter last valued and rated under the Act or Acts for the Relief of the destitute Poor in *Ireland;* and that all Sums heretofore presented, and for levying which or any Instalment thereof any Warrant may be hereafter issuable, or for levying which or any Instalment thereof any Warrant shall have been issued, provided no Levy or Collection shall have actually taken place thereunder, shall be in like Manner apportioned, applotted, raised, and levied on and off all such Lands, Houses, and Tenements, according to the net annual Value thereof as so rated and valued as aforesaid, and that any previous Applotment according to the Laws now in force of such Sums so wholly uncollected, and any Warrant for the Collection and Levy thereof, shall be quashed: Provided always, that no Church, Chapel, or other Building exclusively dedicated to religious Worship, or exclusively used for the Education of the Poor, nor any Burial Ground or Cemetery, nor any Infirmary, Hospital, Charity School, or other Building used exclusively for charitable Purposes, nor any Building, Land, or Hereditament dedicated to or used for public Purposes, shall be rateable for such Grand Jury Cess, nor any Dwelling House which shall be rated for the Relief of the destitute Poor at or under the annual Value of Five Pounds: Provided also, that nothing herein contained shall extend or be construed to alter or affect the Provisions made by an Act passed in the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend the Laws relating to the Levy of Grand Jury Cess in the County of the City of* Dublin, but that all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin* and within the Police District of *Dublin* Metropolis shall continue to be apportioned, applotted, and levied as by the said last-recited Act directed, any thing herein contained to the contrary notwithstanding.

Grand Jury Cess in Counties of Cities and Towns shall be applotted off all Lands, &c. therein, without regard to Parochial or other Distinctions or Divisions.

Exemptions.

Nothing herein to affect the Act 1&2 Vict. c.51.

II. Provided also, and be it enacted, That from and after the passing of this Act the Provisions of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of His late Majesty's Reign, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in* Ireland, *and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereto the same may adjoin, or wherein the same are locally situate,* shall not be deemed or taken to apply to any County of a City or County of a Town herein-before mentioned.

The Act 6&7W.4.c.84. not to apply to Counties of Cities or Towns.

III. And be it enacted, That in order to enable the respective Treasurers of the said several Counties of Cities and Counties of Towns, as herein-after directed, to applot such Grand Jury Cess, it shall and may be lawful to and for the Treasurer of each such County of a City or Town for the Time being, and from Time to Time, and at all reasonable Times, to have Access to and inspect any Rate or Rates made for the Relief of the Poor of every Union, any Part of which shall be situate within such County of a City or of a Town, and to cause Copies to be made of such Rate or Rates, or so much thereof as shall relate to such County of a City or of a Town, or any Part thereof; and such Treasurer shall be allowed the Expence of making such Copies in his Accounts with the Grand Jury of such County of a City or of a Town.

Treasurers empowered to refer to Rates made for the Relief of the Poor.

IV. And be it enacted, That the Treasurer of each County of a City or County of a Town as aforesaid shall, within One Month after he shall have received from the Clerk of the Crown the Copies of the Presentments made at the next and each succeeding Assizes, applot upon all Lands, Houses, and Tenements within such County of a City or County of a Town chargeable under this Act with Grand Jury Cess the Sums leviable under any Presentments made at such Assizes, or any Sums heretofore presented, and which shall not be re-presented, provided no Levy or Collection thereof shall have taken place under any Warrant previously issued, and all Sums heretofore presented, which, or any Instalment whereof, shall be

Treasurer to applot according to the last Rate made under Poor Relief Act;

be leviable under any Warrant hereafter issuable, and all Sums which shall be re-presented, and shall applot the same according to the net annual Value of each such House, Tenement, and Portion of Land as contained in the Rate which shall have been then last made in that Behalf for the Relief of the destitute Poor as aforesaid; and shall, within One Week after such Applotment shall have been made, cause to be published in some Newspaper circulating in such County of a City or Town, and cause to be posted at the usual Places for posting Grand Jury Notices in the same, a Notice stating that such Applotment has been made, and that the same will remain, at a Place to be specified in such Notice, open for the Inspection of all Occupiers of Houses, Lands, or Tenements within such County of a City or Town, between the Hours of Eleven in the Forenoon and Four in the Afternoon, for the Space of Fourteen Days from the Date of such Notice; and the said Treasurer shall keep the same at some convenient Place to be so specified in such Notice, and shall allow all such Occupiers applying for that Purpose to inspect the same at all reasonable Times during the said Space of Fourteen Days, and to take Extracts therefrom, without Fee or Charge, and shall give Copies or Extracts of or from the said Applotment to any Person applying for the same, upon being paid for such Copies or Extracts at the Rate of Three-pence for every One hundred or any less Number of Names contained in each such Copy or Extract; and if such Treasurer shall wilfully neglect or refuse to publish and post such Notice, or to keep such Applotment, at such Place and for such Time as aforesaid, or to permit any such Occupier to inspect such Applotment or to make any Extract therefrom, or to furnish such Extract on the Tender of such Sum as aforesaid, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit and pay for every such Offence such Sum, not exceeding Five Pounds, as the Justices shall think meet, to be levied, in default of Payment, by Warrant of Distress off his Goods and Chattels.

and to publish Notice that the Applotment has been made, and is open for Inspection.

Penalty for Neglect.

Treasurer to issue his Warrant to Collector of Grand Jury Cess.

V. And be it enacted, That, with all convenient Speed after making such Applotment, the Treasurer of each such County of a City or Town shall issue his Warrant or Warrants, directed to the Person or several Persons who, under the Provisions of the said Act of the Sixth and Seventh Years of the Reign of His late Majesty, shall be Collector or Collectors for levying and collecting the Sums to be raised for Grand Jury Cess off such County of a City or Town; and in every such Warrant shall be specified the Proportion of such Grand Jury Cess which shall be so payable in respect of each House, Tenement, or Portion of Land chargeable therewith, and for which the Person to whom such Warrant shall be directed shall be a Collector, together with the Name of the Occupier or Occupiers thereof, as such Name or Names shall appear upon the aforesaid Rate for the Relief of the destitute Poor; and every Person duly authorized to collect and levy such Grand Jury Cess, as soon as he shall have received any such Warrant, shall collect and levy the same according to such Warrant, and by all the Ways and Means provided by the said Act of the Sixth and Seventh Years of His late Majesty's Reign, for the Collection or Levy of Grand Jury Cess; and all the Provisions of the said last-mentioned Act with reference to the Collection, Levy, or Recovery of Grand Jury Cess shall apply to all Sums so specified in such Warrant or Warrants, and all Arrears thereof, as if the same were hereby specially re-enacted, or as if such Sums were applotted in pursuance of the said last-mentioned Act.

Collectors to levy such Cess.

Provisions of the Act of 6 & 7 W. 4. to apply thereto.

Appeal against Applotment.

VI. And be it enacted, That if any Person shall find himself aggrieved by any Applotment made under this Act, or shall object to any Person being put in or left out of such Applotment, or to the Sum charged on any Person therein, it shall be lawful for such Person so aggrieved or objecting to appeal to the General Sessions of the Peace or Adjournment thereof to be held for the same County of a City or of a Town, or if there be none holden therein, then to the General Sessions of the Peace to be held for any County at large next adjoining thereto, next after the Date of such Notice of Applotment so to be published by such Treasurer: Provided always, that no such Appeal shall be made on the ground of any Premises having been overvalued or undervalued in the Rate and Valuation made for the Purposes of the said Acts for the Relief of the Poor in *Ireland:* Provided also, that if such Sessions shall be held before the Expiration of One Calendar Month next after the Date of such Notice, then such Appeal may be made to the next following Sessions.

Recorder or Assistant Barrister may determine the Appeal, and amend the Applotment, or may quash the same, and order a new Applotment.

VII. And be it enacted, That the Recorder of the Borough, or the Assistant Barrister or Justices of the County at the Sessions to which such Appeal shall be brought, is and are hereby empowered to hear and finally determine the Matter of such Appeal, and to make such Order therein as to him or them shall seem meet, which Order shall be final and conclusive upon all Parties, and, in case of any Appeal against any Applotment as aforesaid, to order the Name of any Person interested or concerned in the Event of such Appeal, and having had Notice thereof as herein provided, to be inserted in such Applotment, and to be applotted at such Sum or Sums of Money, or to order the Name of any such Person to be struck out of such Applotment, or the Sum or Sums at which any such Person is applotted therein to be altered, as the Recorder or Assistant Barrister or Justices shall think right; and such Recorder or Assistant Barrister, or some proper Officer of the Court, shall forthwith add to or alter the Applotment accordingly; and it shall be lawful for such Recorder or Assistant Barrister or Justices to order that any Warrant of such Treasurer shall be amended, or that a new Warrant shall be issued according to such Directions as such Recorder or Assistant Barrister or Justices shall give in that Behalf, and such Warrant shall be amended or such new Warrant shall be issued by such Treasurer accordingly; and such amended or new Warrant shall, as to all Houses, Tenements, and Portions of Land in respect of which the Amount chargeable according to such amended or new Warrant shall not have been then paid or levied, or so far as any Sums therein mentioned, or any Part thereof, shall be unpaid, have the Force and Effect of any original Warrant issued under this Act as aforesaid: Provided always, that the said Recorder or Assistant Barrister

Barrister or Justices to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal, nor alter any such Rate with respect to any other Person or Persons, Matter or Matters, than shall be mentioned and specified in the Notice of Appeal; but if upon an Appeal from the whole of any Applotment it shall be found necessary to quash or set aside the same, then the said Recorder or Assistant Barrister or Justices shall quash the same, and shall in that Case order the Treasurer to make a new Applotment, and such Treasurer is hereby required to make the same, and to issue new Warrants accordingly.

If Applotment be decreased, the Amount overpaid to be returned.

VIII. And be it enacted, That if upon the hearing of any Appeal from any Applotment made under this Act the said Recorder or Assistant Barrister or Justices shall order the Name of any Person to be struck out of such Applotment, or the Sum or Sums applotted on any Person to be decreased or lowered, and if it shall be made appear to the said Recorder or Assistant Barrister or Justices that such Person hath, previously to the hearing of such Appeal, paid any Sum or Sums of Money, in consequence of such Applotment, with which he ought not to have been charged, then and in every such Case the said Recorder or Assistant Barrister or Justices shall order all and every such Sum and Sums of Money to be repaid by the said Treasurer, together with all reasonable Costs, Charges, and Expences occasioned by such Person having been required to pay the same; and the Amount so to be repaid by such Treasurer shall be allowed him in his Account with the Grand Jury of the County of the City or Town, as the Case may be.

Fourteen Days Notice of Appeal to be given.

IX. And be it enacted, That the Person so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Treasurer of the County of the City or of the Town for the Time being; and if any Person shall appeal against any Applotment because any other Person is applotted or omitted to be applotted therein, or because any other Person is rated therein at any greater or less Sum than his, her, or their due Proportion of such Grand Jury Cess, or for any other Cause that shall require any Alteration to be made in such Applotment with respect to any other Person, then and in every such Case the Person so appealing shall give such Notice of Appeal as aforesaid, not only to the Treasurer, but also to every other Person so interested or concerned in the Event of such Appeal; and every such other Person shall, if he shall desire, be heard upon such Appeal.

Cess to be paid and levied as if no Appeal made.

X. Provided always, and be it enacted, That, notwithstanding any such Appeal or Notice thereof, every Sum specified in such Warrant shall be payable, and shall and may be levied, sued for, and recovered, as if no Appeal had been made, until or unless such Warrant shall be quashed or amended.

Recognizance to be entered into on Appeal.

XI. And be it enacted, That within Five Days after Notice shall be given of Appeal the Appellant shall enter into a Recognizance before some Justice of the Peace having Jurisdiction in the County of the City or of the Town, with sufficient Securities, conditioned to prosecute such Appeal at the proper Sessions of the Peace in that Behalf, and to abide the Order of and pay such Costs as shall be awarded by the Recorder or Assistant Barrister or Justices at such Sessions.

Justices may award Costs in certain Cases.

XII. And be it enacted, That such Recorder, Assistant Barrister, or Justices, upon hearing and finally determining the Matter of any Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Treasurer to collect Cess if there be no Collector duly appointed.

XIII. And be it enacted, That if at any Time there shall be no Person duly appointed a Collector of Grand Jury Cess in any County of a City or County of a Town pursuant to the Laws now in force, it shall be lawful for the Treasurer of such County of a City or County of a Town, and he is hereby required, to collect such Cess; and it shall be lawful for him to appoint, by Writing under his Hand and Seal, One or more Persons, for whom he shall be answerable, to assist him therein, and he or they shall be entitled to such Poundage as the Grand Jury may think fit, not exceeding Nine-pence in the Pound.

The Council of the Borough of Cork may order a Part not within the Local Act for lighting, paving, cleansing, and improving the Borough to be included in such Act.

Amount of Rate for lighting, how limited.

Rate for other Purposes, how limited.

XIV. 'And whereas Part of the County of the City of *Cork*, as bounded under the Provisions of the 'herein-before recited Acts of Her present Majesty's Reign, is within the Provisions of a Local Act made 'for lighting, paving, cleansing, and improving thereof, and other Part is not within the Provisions 'of such Local Act, but is, nevertheless, under the said recited Act passed in the last Session of Parliament, 'liable to contribute to the Payment of the Money to be raised for lighting, paving, cleansing, and 'improving the Portion of such County within the Provisions of such Local Act;' be it therefore enacted, That it shall be lawful for the Council of the said Borough of *Cork* to make an Order that the Part of such Borough not within the Provisions of such Local Act shall, from and after a certain Day to be named in such Order, be taken to be within the Provisions of such Local Act for lighting, paving, cleansing, and improving such Borough; and after such Day such Part as aforesaid shall be within the Provisions of such Act as fully as if such Part had been originally named in such Act, any thing in such Act contained to the contrary notwithstanding: Provided always, that the additional Rates to be raised off such County of the City of *Cork*, for the Purpose of defraying the Expences of lighting such Part, shall not exceed the average Expence *per* Lamp of lighting the other Parts of the County of the City of *Cork*; and that the additional Rate to be raised off the said County of the City of *Cork*, for paving, cleansing, and improving the Part so to be included, shall not exceed the Rate *per* Square Yard of Highway now chargeable, under the said Act, within the Part of such County now within the Provisions of the said Act: Provided also, that all such Sums as by the Provisions of the said Act the Treasurer of the said County of the City of *Cork* is authorized and required to add, under the Order of the Commissioners for carrying into effect the Purposes of the said Local Act, to his Warrant for levying

the Sums presented to be raised by the Grand Jury at each Assizes off the County of the said City, and which are by the said Act directed to be levied in like Manner as the Money so presented, shall, for all the Purposes of this Act, be deemed and taken to be Monies duly presented by the Grand Jury.

Annual Payment by the Parish of St. Michael, Limerick, to cease in consideration of its becoming liable to Grand Jury Cess. 51 G. 3. c. 104.

XV. 'And whereas by an Act passed in the Fifty-first Year of the Reign of His Majesty King 'George the Third, intituled *An Act for altering and enlarging the Powers of an Act of the Forty-seventh 'Year of the Reign of His present Majesty, for paving, cleansing, lighting, and watching the Parish of* 'Saint Michael *in the Liberties of the City of* Limerick, *and adjoining the said City, and for preventing 'and removing Nuisances therein*, it was enacted, that in consideration of the Parishioners of *Saint 'Michael's* Parish, in the Liberties of the City of *Limerick*, not contributing to the Support and Maintenance of the Gaol, House of Industry, and Fever Hospital established in the said City, otherwise than 'by acreable Assessment, the clear yearly Sum of Five hundred Pounds (*Irish* Currency) should be 'payable out of the Tax or Cess levied and raised on the Inhabitants of the said Parish of *Saint Michael's*, 'and paid to the Person duly authorized to receive the Taxes and Contributions for the Support and 'Maintenance of the said Gaol, House of Industry, and Fever Hospital: And whereas by the joint 'Operation of the said recited Acts of Her present Majesty's Reign and this Act all Houses, Lands, and 'Tenements within the said Parish will be liable to Grand Jury Cess, in common with the other Parts of 'the said Borough, and it is therefore reasonable that the said Payment shall cease;' be it therefore enacted, That so much of the said last-recited Act as enacts that the said annual Sum of Five hundred Pounds shall be paid as aforesaid out of the Tax or Rate imposed on the Inhabitants of the said Parish of *Saint Michael's* shall be and the same is hereby repealed, without Prejudice, nevertheless, to any Payment heretofore made.

Grand Juries may present for Arrears payable, with Interest, by Instalments.

XVI. 'And whereas by reason of the Difficulties existing in the Applotment of Grand Jury Cess divers 'Arrears have accumulated in some of such Counties of Cities and Counties of Towns in *Ireland:* And 'whereas by the said Act passed in the last Session of Parliament certain Enactments were made for 'enabling Grand Juries of such Counties of Cities and Counties of Towns to provide for the Levy by 'Instalments of such Arrears in manner therein specified, but the said Enactments have been insufficient 'for such Purpose;' be it therefore enacted, That it shall and may be lawful to and for the Grand Jury of any such County of a City or County of a Town, at the Summer Assizes of the present Year, or at the next Spring Assizes, if they shall so think fit, to present to be raised off such County of a City or County of a Town the Whole or such Portion of such Arrears as may be necessary for the Payment of Contractors and other Persons, or to re-present any Sums heretofore presented, but remaining uncollected, as they shall think fit, to be raised by so many half-yearly Instalments, not exceeding Twelve in Number, as they may think expedient, with Interest thereupon at a Rate not exceeding Five Pounds *per Centum per Annum*, in manner following; (that is to say,) the first of the said Instalments to be so presented, together with One Half Year's Interest on the whole Sum so to be raised by Instalments, and the other Instalments so to be presented with One Half Year's Interest on the Balance of the whole Sum so to be raised then remaining unpaid; the said Instalments and Interest to be levied off such County of a City or County of a Town half-yearly after each successive Assizes, until the whole shall be levied and collected; and the Treasurer of such County of a City or County of a Town shall and he is hereby required, without further Presentment or Authority in that Behalf, to applot and insert in his Warrant or Warrants, to be from Time to Time issued after each Assizes for the levying of public Money off such County of a City or County of a Town, the Amount of the respective Instalments directed to be raised, with Interest as aforesaid, as the same shall be leviable, in addition to the other Monies to be levied after each Assizes.

Treasurer to insert Sums presented in his Warrant.

Warrants for Sums re-presented as Arrears to be stayed.

XVII. And be it enacted, That if any Warrant shall have been heretofore issued for raising and levying any Sum or Sums of Money, the Levy whereof by Instalment as aforesaid shall be provided for by Presentment under this Act, it shall not be lawful to make any further Levy under such Warrant; and any Person who shall have paid any Sum of Money under any Levy by virtue of such Warrant shall have Credit for the same in any Levy of Grand Jury Cess to which he may be liable, saving and excepting a Levy under a Presentment of irrecoverable Arrears.

Security to Persons willing to advance Money to Treasurer.

XVIII. And be it enacted, That if any Person shall agree with the Treasurer of such County of a City or County of a Town to lend or advance the Amount of the said Instalments of such Arrear, or of any of them, or any Part thereof, for the Use of such County of a City or County of a Town, and shall pay the same into the Bank with which the said Treasurer shall have his public Account as such Treasurer, it shall be lawful for the said Treasurer to give him a Draft upon the said Bank for the Amount of each Instalment which he shall so advance, and which Draft shall be countersigned by the Clerk of the Crown acting for such County of a City or County of a Town, and shall be made payable to the Payee or his Order, at the Time at which such Instalment ought to be paid over to the said Treasurer; and the Person so advancing the Amount of any such Instalment or Part thereof, or the Person entitled to receive the same, shall be paid by the said Treasurer the Interest to become due thereon, as the same shall be received by such Treasurer, until the Sum so advanced shall be paid off and discharged; and the Sums hereby directed to be raised in respect of the said Arrears shall be paid and applied by the said Treasurer in satisfaction of the several Demands to which the Sums so in arrear ought to have been applied in case the same had been collected under his former Warrants, or had been presented.

Debts due to the Exchequer shall have Priority over other Claims on

XIX. 'And whereas divers Sums of Money have been advanced from Time to Time from Her Majesty's 'Exchequer, by the Direction or Authority of the Commissioners of Her Majesty's Treasury, or of the 'Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for public Purposes of the County 'of the City of *Dublin*, and the Repayment thereof has been unduly delayed by reason of the Preference

'given

'given to local Claims over those of Her Majesty's Exchequer;' be it therefore enacted, That in all Cases where any Presentment has been or shall hereafter be made, by the Grand Jury of the County of the City of *Dublin*, of any Sum or Sums of Money for the Purpose of repaying any Advance of Money made as aforesaid to such Counties respectively, such Sum so presented or hereafter to be presented shall to all Intents and Purposes whatsoever be a Charge upon all Money, Rates, or Cesses levied or collected for the Purposes of the said County of the City of *Dublin*, in priority and preference to any other Lien, Claim, Charge, or Demand whatsoever upon the same or any Part thereof; and the Amount of any such Sum, so presented as aforesaid for the Purpose of repaying such Advance as aforesaid, shall be paid by the Treasurer of the said County of the City of *Dublin* out of such public Money, Rates, and Cesses as shall be by him received (so far as the same shall extend), when and so soon as the same shall come to his Hands, in priority and preference to any other Lien, Charge, Demand, or Claim upon the same whatsoever; and such Treasurer shall pay over the said Amount in such Manner and to such Bank or Person as the Commissioners of Her Majesty's Treasury shall direct: Provided always, that each half-yearly Sum, Instalment, or Proportion of any Sum so presented or to be presented shall have the same Priority and Preference, and shall be paid in the same Manner, as is herein-before directed with respect to the entire of such Amount of Money so presented for the Repayment of Advance.

County Rates in Dublin.

XX. And be it enacted, That if in any Case the Treasurer of the County of the City of *Dublin* for the Time being shall neglect or refuse to pay any Sum or Sums of Money presented for the Repayment of Advances made as aforesaid, or any half-yearly Sums or Instalments of such Sum or Sums presented as aforesaid, in priority and preference to any other Lien, Charge, Demand, or Claim whatsoever upon the Money in his Hands, such Treasurer shall for each such Neglect or Refusal forfeit the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Dublin*.

Penalty on Treasurer withholding Monies due to the Exchequer.

XXI. 'And whereas divers Sums of Money have been from Time to Time advanced from Her Majesty's 'Exchequer to Boards of Health, for the Support of Constabulary, and for the Repair of Roads, in the 'County of the City of *Cork*, on which an Arrear has accrued from the said County to Her Majesty's 'Exchequer, amounting, on or before the First Day of *April* of this present Year One thousand eight 'hundred and forty-three, to Six thousand six hundred and twenty Pounds Fourteen Shillings and One 'Penny;' Be it therefore enacted, That it shall and may be lawful for the Grand Jury of the said County of the City of *Cork*, at the next Assizes after the passing of this Act, and they are hereby required, to present to be levied off the said County of the City of *Cork* the Sum of Six thousand six hundred and twenty Pounds Fourteen Shillings and One Penny as aforesaid, by such and so many half-yearly Instalments as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall by their Warrant direct; and the Treasurer of the said County of the City of *Cork* shall and he is hereby required to applot and insert any Sum so directed to be levied in his Warrant for raising or levying the Sums presented at the next Assizes, and in like Manner, without further Presentment or Authority in that Behalf, to applot and insert a like Sum in his Warrant for raising or levying the Sums so presented at each succeeding Assizes, until the whole Sum so advanced as aforesaid shall be so raised and levied off the said County of the City of *Cork*, and the same shall be raised and levied accordingly; and the said Treasurer shall pay over the said several Instalments, when and as soon as each of them shall be raised and levied, to such Bank or other Person and in such Manner as the Commissioners of Her Majesty's Treasury shall direct: Provided always, that such Presentment and Payments shall be without Prejudice to the Repayment of such other Advances as may have been made or may be made from Her Majesty's Exchequer, and which are not comprehended in the aforesaid Sum.

Debt due to the Exchequer by the City of Cork how to be repaid.

XXII. 'And whereas by the said recited Act passed in the last Session of Parliament it was, after 'reciting that divers Sums of Money had been from Time to Time advanced from Her Majesty's 'Exchequer for divers public Purposes in the County of the Town of *Drogheda*, amongst other things 'enacted, that for the Repayment of such Advances the Grand Jury of the County of the Town of '*Drogheda*, at the next Assizes after the passing of that Act, should present to be levied off the said 'County of the Town of *Drogheda* such Sum and by such and so many half-yearly Instalments as the 'Commissioners of Her Majesty's Treasury, or any Three of them, should direct: And whereas, pursuant 'to the Directions of the said Act, and to the Directions of the said Commissioners of the Treasury, 'the Grand Jury of the said County of the Town of *Drogheda*, at the Spring Assizes of this present Year, 'made a Presentment for the Levy off the said County of the Town of *Drogheda* of the Sum of Eight 'thousand seven hundred and forty-eight Pounds Twelve Shillings and Eleven-pence Halfpenny, by half-'yearly Instalments of Four hundred and thirty-seven Pounds Eight Shillings and Eight-pence each: 'And whereas, by reason of Difficulties in the Applotment of Grand Jury Cess in the said County of 'the Town of *Drogheda*, the Money so presented remains uncollected, and Doubts have arisen whether a 'Portion of the Money so presented is properly chargeable on the said County of the Town of *Drogheda*, 'as now bounded and defined under the Provisions of the herein-before recited Acts of Her present 'Majesty's Reign; and the Money so presented includes a large Sum originally repayable by Instal-'ments, extending over a long Period of Time, and it is therefore just and reasonable that the Levy 'thereof shall not be enforced;' be it therefore enacted, That the said Presentment so made by the Grand Jury of the said County of the Town of *Drogheda* at the last Spring Assizes, pursuant to the Provisions of the said recited Enactment, and to the Directions of the said Commissioners of Her Majesty's Treasury, shall be quashed, and the same is hereby declared null and void to all Intents and Purposes whatsoever.

Presentment made at last Spring Assizes in Drogheda for Debt due to the Exchequer quashed.

XXIII. 'And

Debts due to the Exchequer by Drogheda, how to be repaid.

XXIII. 'And whereas certain Advances made to the County of the Town of *Drogheda* for building a 'new Gaol are repayable to Her Majesty's Exchequer by half-yearly Instalments of Fifty-seven Pounds 'Thirteen Shillings and Ten-pence: And whereas other Advances made to the said County of the Town 'of *Drogheda* for building a Lunatic Asylum are also repayable to Her Majesty's Exchequer by half-'yearly Instalments of Four Pounds Sixteen Shillings and Three-pence: And whereas divers Sums are 'also due to Her Majesty's Exchequer on account of divers Arrears of the said several half-yearly 'Instalments heretofore accrued due, and on account of Arrears of Repayments of divers other Advances 'for public Purposes made from Time to Time to the said County of the Town of *Drogheda* remaining 'due and unpaid: And whereas it is expedient to provide for the Payment of the said several Debts 'within a Period of Twelve Years;' be it therefore enacted, That the Commissioners of Her Majesty's Treasury shall cause an Account to be taken of the several Sums so due to Her Majesty's Exchequer for Arrears of the said Instalments heretofore accrued due, and for Arrears of Repayments of the other Advances aforesaid remaining due and unpaid, and shall cause a Computation to be made of the present Value of the several Instalments hereafter accruing payable to the Exchequer as aforesaid, calculating the Interest of Money at the Rate of Four Pounds *per Centum per Annum*, and shall add the Amount so found due on such Account as aforesaid to the present Value of such Instalments, calculated as aforesaid, and ascertain the Amount of an Annuity for Twelve Years, payable half-yearly in equal Moieties, equivalent, at the Rate of Interest aforesaid, to the gross Amount; and the said Commissioners of the Treasury shall, by Warrant under their Hands, or under the Hands of any Three or more of them, direct the Grand Jury of the County of the Town of *Drogheda* to present the Amount of such Annuity to be levied off the said County of the Town of *Drogheda* by Two equal half-yearly Moieties in each of the Years specified in such Warrant, and which the said Commissioners shall specify therein.

Grand Jury of the Town to present for Amount of Annuity to be raised.

XXIV. And be it enacted, That it shall and may be lawful for the Grand Jury of the said County of the Town of *Drogheda*, at the next Assizes after the passing of this Act, and they are hereby required, to present to be levied off the said County of the Town of *Drogheda*, by equal half-yearly Moieties in each of the Years specified in such Warrant, the Annuity therein specified; and the Treasurer of the said County of the Town of *Drogheda* shall and he is hereby required to applot and insert a Moiety of the Annuity specified in such Warrant in his Warrant for raising or levying the Sums presented at the said next Assizes; and in like Manner, without further Presentment or Authority in that Behalf, to applot and insert a like Sum in his Warrant for raising or levying the Sums presented at each succeeding Assizes, until the said Annuity shall cease to be payable, and the same shall be raised and levied accordingly; and the said Treasurer shall pay over the said several Moieties of the said Annuity, when and as each of them shall be raised and levied, to such Bank or Person and in such Manner as the said Commissioners of Her Majesty's Treasury shall direct: Provided always, that such Presentment and Payments shall be without Prejudice to the Repayment of such other Advances as may have been made or may be made from Her Majesty's Exchequer, and which are not comprehended in the herein-before mentioned Sums.

Debt due by old Part of County of Drogheda, how to be settled.

XXV. 'And whereas under the said recited Acts certain Parts or Portions of the old County of the 'Town of *Drogheda* and of the ancient Liberties thereof, and certain Parts of Parishes or other Denomina-'tions, are not included within the Boundaries of the County of the Town of *Drogheda* as defined under the 'said recited Acts, and have, for the Purpose of Grand Jury Presentments among others, become severally 'Part of the adjoining Counties of *Louth* and *Meath*, and the same may be justly liable to contribute to 'the Payment of the said Debts, or some of them;' be it therefore enacted, That it shall and may be lawful for the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on the Application of Ten or more Persons liable to the Payment of Grand Jury Cess in the said County of the Town of *Drogheda*, or of the Paymaster of Civil Services in *Ireland*, to appoint, by Writing under his Hand, a Barrister, not having any Interest in the Question, by his Award, to be made in Duplicate, under his Hand and Seal, to assess the Proportion, if any, of the Debt or several Debts so due as aforesaid to Her Majesty's Exchequer, to which any Place or Precinct not now under the Provisions of the said recited Acts, Part of the said County of the Town of *Drogheda*, for the Purpose of Grand Jury Presentments may be justly liable, and the Proportion of the said half-yearly Instalments which ought to be paid and contributed by such Precinct or Place; and such Arbitrator shall also assess the Costs of such Arbitration, and direct in what Proportion the same shall be paid by such County or any such Precinct or Place, and the same shall be presented accordingly by the respective Grand Juries; and the Proportion, if any, of the said half-yearly Instalments of the said Annuity assessed by such Award on each such Precinct or Place shall, from Time to Time during the Continuance of such Annuity, be applotted, raised, and levied on and off such Precinct or Place as if the same had been duly presented by Warrant of the Treasurer of the County whereunto such Place or Precinct may be now annexed, and be by him paid over, when and as the same shall be raised and levied, to such Bank or Person and in such Manner as the said Commissioners of Her Majesty's Treasury shall direct; and the half-yearly Instalments of the said Annuity leviable off the said County of the Town of *Drogheda* as at present defined shall be *pro tanto* reduced; and such Award to be made as aforesaid shall be conclusive, and shall be sufficient Authority to the respective Treasurers for the Levy of the Sums therein specified.

Interpretation of Act.

XXVI. And be it enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing, and every Word importing the Masculine Gender shall be applied to a Female as well

well as a Male, unless there be something in the Subject or Context repugnant to such Construction respectively.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. XXXIII.

An Act to repeal so much of an Act of the First Year of King *George* the First as limits the Time for taking and being restrained from taking Salmon in certain Rivers; and to amend and extend the Provisions of an Act of the Fifty-eighth Year of King *George* the Third to the Rivers therein mentioned. [28th *July* 1843.]

'WHEREAS an Act was passed in the First Year of the Reign of His Majesty King *George* the First, intituled *An Act for the better preventing fresh Fish taken by Foreigners being imported into this Kingdom; and for the Preservation of the Fry of Fish; and for giving Leave to import Lobsters in Foreign Bottoms; and for the better Preservation of Salmon within several Rivers of that Part of this Kingdom called* England, in which it is amongst other things recited, that the several Acts of Parliament theretofore made for the Preservation of Fishing within the Rivers of this Realm have hitherto proved ineffectual in respect to the Rivers *Severn, Dee, Wye, Teame, Were, Tees, Ribble, Mersey, Dun, Air, Ouse, Swaile, Calder, Wharfe, Eure, Derwent,* and *Trent,* for Want of a due Encouragement to be given to such Persons who could discover the many illegal Practices and Abuses done therein, and by reason of the Dilatoriness and Expensiveness of the Suits and Proceedings directed by the said Acts for punishing such Abuses; wherefore, for Remedy thereof, and for the better securing the Spawn, Fry, and Breed of Salmon in the said Rivers, it was among other things enacted, that if any Person or Persons whatsoever should at any Time thereafter, between the last Day of *July* and the Twelfth Day of *November,* for ever, by or with any Net, Device, Engine, Ways or Means whatsoever, take, kill, destroy, or wilfully hurt any Salmon of any Kind or Size whatsoever in the said Rivers, every Person so offending in any of the said Cases who should be convicted thereof before any Justice or Justices of the Peace of the County wherein the said Offence should be committed, either upon View of such Justice or Justices, by Confession of such Offender, or by One or more credible Witness or Witnesses upon Oath (which Oath every such Justice of the Peace was thereby empowered to administer), should forfeit the Sum of Five Pounds for every such Offence, besides the Fish so taken, and the Nets, Engines, and Devices used in doing or committing the same; one Moiety of the said Sum to be paid to the Informer or Informers, and the other Moiety thereof to the Poor of the Parish where the said Offence should be committed, to be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of the Justice or Justices of the Peace before whom he should be convicted as aforesaid, rendering the Overplus, if any be, over and above the Charges of the Distress, to the Person so distrained; and for Want of such Distress the Offender should be committed to the House of Correction or other County Gaol or Prison for any Time not exceeding Three Months nor less than One Month, there to be kept to hard Labour and suffer such other corporal Punishment as the said Justice or Justices, upon Consideration of the Circumstances of such Offence, should think fit; and the said Justice or Justices of the Peace before whom the Person so offending should be convicted should order such Nets, Engines, and Devices made use of in taking such Fish to be seized and immediately cut in Pieces or otherwise destroyed in his or their Presence: And whereas it is expedient to repeal the said recited Provision of the said Act, so far as concerns the Days between which Salmon of any Kind or Size are not to be taken, killed, or destroyed, or wilfully hurt, in the said Rivers, and to extend to all the aforesaid Rivers the Provisions of the said Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for preventing the Destruction of the Breed of Salmon, and Fish of the Salmon Kind, in the Rivers of* England:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said first-mentioned Act passed in the First Year of the Reign of King *George* the First as is herein-before recited shall, so far as concerns the Days between which Salmon of any Kind or Size are not to be taken, killed, or destroyed, or wilfully hurt, in the said Rivers, and the Penalties therein contained, so far only as they relate to the Offence herein mentioned, be and the same is hereby repealed.

1 G. 1. c. 18.

58 G. 3. c. 43.

Repeal of so much of 1 G. 1. c. 18. as fixes Fence Days.

II. And be it enacted, That all the Provisions of the said Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for preventing the Destruction of the Breed of Salmon, and Fish of Salmon Kind, in the Rivers in* England, shall, from and immediately after the passing of this Act, be extended to and the same are hereby extended to all and each of the said Rivers herein-before mentioned, and the Waters communicating therewith respectively, as fully and effectually as if the said Rivers had been expressly mentioned in the said last-mentioned Act, and as if no Provision had been made by any Act in force at the Time of the passing of the said last-mentioned Act for limiting the Time within which it should be lawful to take Salmon, or Fish of the Salmon Kind, in any of the said Rivers.

Provisions of 58 G. 3. c. 43. extended to Rivers mentioned in 1 G. 1. c. 18.

III. 'And whereas it is expedient to make Provision for more effectually fixing the Days for being restrained from taking Salmon, commonly called "Fence Days," in such Parts of any River as may run between or form the Boundary of Two adjoining Counties;' be it therefore enacted, That wheresoever the Course of any of the herein-before mentioned Rivers, or of any Rivers to which the Provisions of

Mode of fixing Fence Days as to Parts of Rivers between or forming

Boundary of Two adjoining Counties.

of the said recited Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third now apply, shall run between or form the Boundary of Two adjoining Counties, it shall be lawful for the Justices of the Peace acting for either of such Counties, at their Quarter Sessions of the Peace, upon the Refusal or Neglect of the Justices of the Peace acting for such other adjoining County to fix certain Days, according to the Provisions of the said last-mentioned Act, to be Fence Days for such Part of any such River, themselves to fix certain Days as Fence Days, during which it shall not be lawful for any Person or Persons whatsoever to take, kill, or destroy, or attempt to take, kill, or destroy, any Salmon, Salmon Trout, or Fish of the Salmon Kind, or any Brood, Spawn, or Fry of such Fish, in any Portion of such River as runs between or forms the Boundary of such Two Counties.

If Justices of any such Two Counties cannot agree, the Justices of next adjoining County to fix the Days.

IV. And be it enacted, That in case the Justices of the Peace acting for such Two adjoining Counties should not fix the same Days as Fence Days for such Part of any River as runs between or forms the Boundary of the Two Counties, the Clerk of the Peace for each County respectively shall give Notice to the Clerk of the Peace of the County next adjoining through which the lower Course of the River shall entirely pass, or if there shall be no such County then to the Clerk of the Peace of the County next adjoining through which the upper Course of the River shall entirely have passed, of the Days which have been proposed as Fence Days by the Justices of the Peace for such Two adjoining Counties as aforesaid; and it shall thereupon be lawful for the Justices of the Peace acting for such next adjoining County through which the Course of the River shall entirely pass or have passed, as the Case may be, and they are hereby required, at their next Quarter Sessions, to fix certain Days as Fence Days for any Part of such River as runs between or forms the Boundary of such adjoining Counties: Provided always, that the first of such Fence Days shall be some Day between the Days proposed by such adjoining Counties for the Commencement of such Fence Days, and the last of such Days shall be a Day between the Days proposed by the said adjoining Counties for the Determination of such Fence Days.

Offences committed in a River forming a Boundary how to be cognizable.

V. And be it enacted, That any Offence against the Provisions of the said recited Acts or of this Act committed by any Person whatsoever in such Part of any River as runs between or forms the Boundary of Two adjoining Counties shall be cognizable by any Justice or Justices of the Peace, as the Case may require, acting for either one of such Counties.

So much of 58 G. 3. c. 43. as imposes Penalties for taking, selling, &c. Spawn, Fish, &c., or Fish caught during prohibited Periods, repealed.

VI. 'And whereas it is by the said recited Act of the Fifty-eighth Year of the Reign of His Majesty 'King *George* the Third enacted, that no Person shall at any Time after the First Day of *September* One 'thousand eight hundred and eighteen take, kill, or destroy, or knowingly have in his or her Possession, 'either on the Water or on the Shore, or shall bring to Shore, or cry or carry about, sell, offer, or expose 'to or for Sale, or shall exchange for any Goods, Matter, or Thing, any Spawn, Fry, or Brood of Fish, or 'any unsizeable Fish, or any Kepper or Shedder Salmon being unseasonable Salmon, commonly called 'Old Salmon, or any Salmon caught in any River during the Periods when fishing for Salmon is pro-'hibited under the Provisions of any Law now in force, or when the same shall be prohibited by any 'Order to be made by the Justices at their Sessions as herein-before provided; and it shall be lawful for 'any Conservator or Overseer thereof, or any other Person under the Authority of this Act, to take and 'seize all or any such Spawn, Fry, or Brood of Fish, or such other Fish as aforesaid, wherever the same 'shall be found, together with all Baskets and Package in which the same shall be so found or taken, and 'to deliver the Person on whom the same may be found to a Constable or other Peace Officer; and after 'every such Seizure shall be made, the Spawn, Fry, or Brood, or other Fish as aforesaid, together with 'the Baskets and Package in which the same shall be so seized, shall be delivered into the Hands of some 'Constable or other Peace Officer, and every such Constable or other Peace Officer is hereby authorized 'and required to take every such Offender with whom he shall be so charged for any such Offence into 'his Custody, and also the Spawn, Fry, or Brood of Fish, and such other Fish as aforesaid, and all 'Baskets and Packages in which the same shall be so seized, and which shall be delivered to such Con-'stable or other Peace Officer as aforesaid, and to carry such Offender, and all such Spawn, Fry, or Brood 'of Fish, and such other Fish as aforesaid, together with the Baskets and Package as aforesaid, which shall 'have been delivered to any such Constable or other Peace Officer, with all convenient Speed, before 'some Justice or Justices or Magistrate of the County, City, or Place where the Offence shall be com-'mitted, for such Offender to be dealt with according to Law; and on the Conviction of any such 'Offender or Offenders for any such Offence before any such Justice or Justices or Magistrates as afore-'said, every such Offender shall forfeit all and every such Spawn, Fry, or Brood of Fish, unsizeable Fish, 'and Fish out of Season, which shall be so seized, together with all Baskets or Package in which the 'same shall be so seized; and all such Spawn, Fry, or Brood of Fish, or such other Fish as aforesaid, 'together with such Baskets and Package in which the same shall have been so seized as aforesaid, shall, 'by Order of the Justice or Justices before whom the same shall be so brought, be delivered to the 'Person or Persons who shall have so seized the same and shall prosecute to Conviction any such Offender; 'and every Offender who shall be so convicted as aforesaid of any such Offence shall besides forfeit and 'pay for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds: And 'whereas it is expedient that the said Provision be repealed;' be it therefore enacted, That the said Provision be and the same is hereby repealed.

Penalty on Persons taking, selling, &c. Spawn, Fish, &c. after Fence Days.

VII. And be it enacted, That no Person shall upon any Pretence whatsoever, at any Time after the Days to be fixed by any Justice or Justices of the Peace to be Fence Days by virtue of the Provisions of this Act, take, kill, or destroy, or have in his or her Possession, either on the Water or on the Shore, or shall bring to Shore, or cry or carry about, sell, offer, or expose to or for Sale, or shall exchange for any Goods, Matter, or Thing, any Spawn, Fry, or Brood of Fish, or any unsizeable Fish, or any Kepper or Shedder

Shedder Salmon being unseasonable Salmon, commonly called Old Salmon, or any Salmon caught in any River during the Periods when fishing for Salmon is prohibited under the Provisions of any Law now in force, or when the same shall be prohibited by any Order to be made by the Justices at their Sessions, as provided by the said recited Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, or by any Order to be made by the Justices at their Sessions or otherwise as herein-before provided; and it shall be lawful for any Conservator or Overseer thereof, or any other Person, under the Authority of the said recited Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, or under the Authority of this Act, to take and seize all or any such Spawn, Fry, or Brood of Fish, or such other Fish as aforesaid, wherever the same shall be found, together with all Baskets and Package in which the same shall be so found or taken, and to deliver the Person on whom the same may be found to a Constable or other Peace Officer; and after every such Seizure shall be made the Spawn, Fry, or Brood, or other Fish as aforesaid, together with the Baskets and Package in which the same shall be so seized, shall be delivered into the Hands of some Constable or other Peace Officer, and every such Constable or other Peace Officer is hereby authorized and required to take every such Offender with whom he shall be so charged for any such Offence into his Custody, and also the Spawn, Fry, or Brood of Fish, and such other Fish as aforesaid, and all Baskets and Packages in which the same shall be so seized, and which shall be delivered to such Constable or other Peace Officer as aforesaid, and to carry such Offender, and all such Spawn, Fry, or Brood of Fish, and such other Fish as aforesaid, together with the Baskets and Package as aforesaid, which shall have been delivered to any such Constable or other Peace Officer, with all convenient Speed, before some Justice or Justices or Magistrate of the County, City, or Place where the Offence shall be committed, for such Offender to be dealt with according to Law; and on the Conviction of any such Offender or Offenders for any such Offence before any such Justice or Justices or Magistrate as aforesaid, every such Offender shall forfeit all and every such Spawn, Fry, or Brood of Fish, unsizeable Fish, and Fish out of Season, which shall be so seized, together with all Baskets or Package in which the same shall be so seized; and all such Spawn, Fry, or Brood of Fish, or such other Fish as aforesaid, together with such Baskets and Package in which the same shall have been so seized as aforesaid, shall, by Order of the Justice or Justices before whom the same shall be so brought, be delivered to the Person or Persons who shall have so seized the same and shall prosecute to Conviction any such Offender; and every Offender who shall be so convicted as aforesaid of any such Offence shall besides forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds.

All the Powers, Penalties, &c. of said Acts of 1 G. 1. c. 18. and 58 G. 3. c. 43. to apply to this Act.

VIII. And be it enacted, That all the Powers and Provisions, Rules, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things, contained in the said recited Acts passed in the First Year of the Reign of His Majesty King *George* the First and in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, shall be applied and put in Practice in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act, so far as the same are compatible and consistent with the Provisions of this Act, and except so far as the same are expressly altered or repealed by this Act.

CAP. XXXIV.

An Act for the better Apprehension of certain Offenders. [28th *July* 1843.]

'WHEREAS it is expedient to make more effectual Provision for the Apprehension and Trial of 'Offenders against the Laws who may be in other Parts of Her Majesty's Dominions than those 'in which their Offences were committed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any Person charged with having committed any Offence such as is herein-after mentioned against the Laws of any Part of Her Majesty's Dominions not being Part of the United Kingdom of *Great Britain* and *Ireland*, and against whom a Warrant shall have been issued for such Offence by any Person having lawful Authority to issue the same within that Part of Her Majesty's Dominions where such Offence shall have been committed, shall be in any Place within the said United Kingdom, it shall be lawful, in *Great Britain*, for One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, to endorse his Name on such Warrant, which Warrant so endorsed shall be a sufficient Authority to the Person or Persons bringing such Warrant, and to all Persons to whom such Warrant was originally directed, and also to all Constables and other Peace Officers in that Part of the United Kingdom where the said Warrant shall be so endorsed, to execute the said Warrant, by apprehending the Person against whom such Warrant is directed, and to convey the said Person before a Justice of the Peace for the County or other Jurisdiction in which the supposed Offender shall be apprehended, or in *Scotland* either before such Justice of the Peace or before the Sheriff Depute or Substitute.

Offenders in the Colonies escaping into the United Kingdom may be there apprehended.

II. And to remedy the like Failure of Justice by the Escape of Persons charged with having committed Offences into those Parts of Her Majesty's Dominions which do not form Part of the said United Kingdom, be it enacted, That from and after the passing of this Act, if any Person charged with having committed any Offence such as is herein-after mentioned in any Part of Her Majesty's Dominions, whether or not within the said United Kingdom, and against whom a Warrant shall be issued by any Person or Persons having lawful Authority to issue the same, shall be in any other Part of Her Majesty's Dominions not forming Part of the said United Kingdom, it shall be lawful for the Chief Justice or any other

For Apprehension of Offenders escaping to the Colonies.

other Judge of Her Majesty's Superior Court of Law within that other Part of Her Majesty's Dominions where such Person shall be to endorse his Name on such Warrant, which Warrant so endorsed shall be a sufficient Authority to the Person or Persons bringing such Warrant, and also to all Persons to whom such Warrant was originally directed, and also to all Peace Officers of the Place where the Warrant shall be so endorsed, to execute the same within the Jurisdiction of the Person by whom it shall be so endorsed, by apprehending the Person against whom such Warrant is directed, and to convey him before a Magistrate or other Person having Authority to examine and commit Offenders for Trial in that Part of Her Majesty's Dominions.

Offender may be committed to Gaol until he can be sent back to the Place where the Offence was committed.

III. And be it enacted, That it shall be lawful for any Person duly authorized to examine and commit Offenders for Trial before whom any such supposed Offender shall be brought as aforesaid, upon such Evidence of Criminality as would justify his Committal if the Offence had been committed in that Part of Her Majesty's Dominions, to commit such supposed Offender to Prison, there to remain until he can be sent back, in manner herein-after mentioned, to that Part of Her Majesty's Dominions in which he is charged with having committed such Offence; and immediately upon the Committal of such Person

Information of Committal to be given.

Information thereof in Writing under the Hand of the committing Magistrate, accompanied by a Copy of the said Warrant, shall be given, in *Great Britain*, to One of Her Majesty's Principal Secretaries of State, and in *Ireland* to the Chief Secretary of the Lord Lieutenant, and in any other Part of Her Majesty's Dominions to the Governor or acting Governor.

Copies of Depositions may be given in Evidence.

IV. Provided always, and be it enacted, That in every such Case Copies of the Depositions upon which the original Warrant was granted, certified under the Hand of the Person or Persons issuing such Warrant, and attested upon the Oath of the Party producing them to be true Copies of the original Depositions, may be received in Evidence of the Criminality of the Person so apprehended.

Offenders apprehended to be sent to the Place where the Offence was committed;

V. And be it enacted, That it shall be lawful, in *Great Britain*, for any One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant, and in any other Part of Her Majesty's Dominions for the Governor or acting Governor, by Warrant under his Hand and Seal, to order any Person who shall have been so apprehended and committed to Gaol to be delivered into the Custody of some Person or Persons, to be named in the said Warrant, for the Purpose of being conveyed into that Part of Her Majesty's Dominions in which he is charged with having committed the Offence, and being delivered into the Custody of the proper Authorities there, to be dealt with in due Course of Law as if he had been there apprehended, and to order that the Person so committed to Gaol be so conveyed accordingly; and if the said Person, after he shall have been so apprehended, shall escape out of any Custody to which he shall have been committed as aforesaid, it shall be lawful to retake such Person, in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions may be retaken upon an Escape.

if not sent within Two Months after Committal, may apply to be discharged.

VI. And be it enacted, That where any Person who shall have been committed to Gaol under this Act shall not be conveyed out of that Part of Her Majesty's Dominions in which he shall have been so committed to Gaol within Two Calendar Months after such Committal, over and above the Time actually required to convey the Prisoner from the Gaol to which he was committed by the readiest Way out of that Part of Her Majesty's Dominions, it shall be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such supposed Offender shall be in Custody, upon Application made to him or them by or on behalf of the Person so committed, and upon Proof made to him or them that reasonable Notice of the Intention to make such Application has been given to One of Her Majesty's Principal Secretaries of State in *Great Britain*, or in *Ireland* to the Chief Secretary of the Lord Lieutenant of *Ireland*, or to the Governor or acting Governor in any other Part of Her Majesty's Dominions, to order the Person so committed to be discharged out of Custody, unless sufficient Cause shall be shown to such Judge or Judges why such Discharge ought not to be ordered.

Persons apprehended, if not indicted within Six Months, or if not convicted, may be sent back.

VII. And be it enacted, That in case any Person apprehended under this Act shall not be indicted for the Offence for which he shall have been so apprehended within the Period of Six Calendar Months after his Arrival in that Part of Her Majesty's Dominions in which he is charged to have committed the Offence, or if upon his Trial he shall be acquitted, it shall be lawful, in *Great Britain*, for One of Her Majesty's Principal Secretaries of State, and in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and for the Governor or acting Governor in any other Part of Her Majesty's Dominions, if he shall think fit, upon the Request of the Person so apprehended, to cause such Person to be sent back, free of Cost to such Person, and with as little Delay as possible, to that Part of Her Majesty's Dominions in which he shall have been so apprehended.

Providing for Expence of Removal of Offenders to the United Kingdom.

VIII. And be it enacted, That the Court before which any Person apprehended under this Act shall be prosecuted or tried within the said United Kingdom may order, if it shall think fit, that the Expences of apprehending and removing the Prisoner from any Part of Her Majesty's Dominions not within the said United Kingdom to any Place within the said United Kingdom, shall be repaid to the Person defraying the same, by the Treasurer of the County or other Jurisdiction in *England* or *Ireland*, or by the Sheriff Depute or Substitute of the County in *Scotland*, in which the Offence is charged to have been committed, the Amount of such Expences being previously ascertained by an Account thereof, verified by Production of proper Vouchers before Two Justices of the Peace of such County or other Jurisdiction, which last-mentioned Justices shall examine into the Correctness of the said Account, and shall allow the same, or such Part thereof as shall to them appear just and reasonable, under their Hands and Seals; and every Treasurer, or Sheriff Depute or Substitute, who shall pay the Amount so ascertained, shall be allowed such Payment in his Accounts respecting the Business of such County or other Jurisdiction.

IX. Pro-

IX. Provided always, and be it enacted, That it shall not be lawful for any Person to endorse his Name on any such Warrant, for the Purpose of authorizing the Apprehension of any Person under this Act, until it shall have been proved to him, upon Oath or by Affidavit, that the Seal or Signature upon the same is the Seal or Signature of the Person having lawful Authority to issue such Warrant whose Seal or Signature the same purports to be. Proof of the Signature of the Person issuing the original Warrant.

X. Provided also, and be it enacted, That it shall not be lawful for any Person to endorse his Name upon any such Warrant, for the Purpose of authorizing the Apprehension of any Person under this Act, unless it shall appear upon the Face of the said Warrant that the Offence which the Person for whose Apprehension the said Warrant has been issued is charged to have committed is such that, if committed within that Part of Her Majesty's Dominions where the Warrant is so endorsed, it would have amounted in Law to a Treason, or some Felony such as the Justices of the Peace in General or Quarter Sessions assembled have not Authority to try in *England* under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*, or unless the Depositions appear sufficient to warrant the Committal of such Person for Trial. Warrant not to be endorsed, except in Cases of Treason and Felony, &c. 5 & 6 Vict. c. 38.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XXXV.

An Act to amend so much of an Act of the last Session, for the Government of *New South Wales* and *Van Diemen's Land*, as relates to *Norfolk Island*. [28th *July* 1843.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, it was enacted, that it should be lawful for Her Majesty to define the Limits of the Colony of *New South Wales*, and to erect into a separate Colony any Territories comprised within the said Colony, provided that no Part of the Territories lying Southward of the Twenty-sixth Degree of South Latitude in the said Colony of *New South Wales* should be detached from the said Colony: And whereas it is expedient that *Norfolk Island* should be severed from the Government of *New South Wales*, and annexed to the Government of *Van Diemen's Land*; but inasmuch as *Norfolk Island* lies Southward of the Twenty-sixth Degree of South Latitude, it may be doubted if such Severance can be made without Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to sever *Norfolk Island* from the Government of *New South Wales* and from the Diocese of *Australia*, and to annex it to the Government and Colony of *Van Diemen's Land* and to the Diocese of *Tasmania*, from and after a Day to be mentioned in such Letters Patent; and from and after such Day *Norfolk Island* shall cease to belong to the Colony of *New South Wales* and to the Diocese of *Australia*, and shall be taken to be a Part of the Colony of *Van Diemen's Land* and of the Diocese of *Tasmania*. 5 & 6 Vict. c. 76. Norfolk Island may be annexed to Van Diemen's Land.

II. Provided always, and be it enacted, That, until annulled or altered by competent Authority, all Laws, Ordinances, and Regulations, Civil and Ecclesiastical, in force within *Norfolk Island* at the Time when such Letters Patent shall take effect, shall continue in force as if *Norfolk Island* had continued a Part of the Colony of *New South Wales* and of the Diocese of *Australia*, subject only to such Changes as shall be necessarily consequent upon the Change of Government. Continuance of Laws and Ordinances.

CAP. XXXVI.

An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies. [28th *July* 1843.]

'WHEREAS it is expedient that Societies established exclusively for Purposes of Science, Literature, or the Fine Arts should be exempt from the Charge of County, Borough, Parochial, and other local Rates in respect of Land and Buildings occupied by them for the Transaction of their Business, and for carrying into effect their Purposes;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *October* One thousand eight hundred and forty-three no Person or Persons shall be assessed or rated, or liable to be assessed or rated, or liable to pay, to any County, Borough, Parochial, or other local Rates or Cesses, in respect of any Land, Houses, or Buildings, or Parts of Houses or Buildings, belonging to any Society instituted for Purposes of Science, Literature, or the Fine Arts exclusively, either as Tenant or as Owner, and occupied by it for the Transaction of its Business, and for carrying into effect its Purposes, provided that such Society shall be supported wholly or in part by annual voluntary Contributions, and shall not, and by its Laws may not, make any Dividend, Gift, Division, or Bonus in Money unto or between any of its Members, and provided also that such Society shall obtain the Certificate of the Barrister at Law or Lord Advocate, as herein-after mentioned. Scientific Societies exempted from Rates upon obtaining the Certificate herein-after mentioned.

II. Provided always, and be it enacted, That before any Society shall be entitled to the Benefit of this Act such Society shall cause Three Copies of all Laws, Rules, and Regulations for the Management thereof, signed by the President or other chief Officer and Three Members of the Council or Committee of Management, and countersigned by the Clerk or Secretary of such Society, to be submitted, in *England*, *Wales*, Scientific Societies to cause Three Copies of their Rules of Management to be submitted to

the Barrister or Person appointed to certify the Rules of Friendly Societies, &c.

Wales, and *Berwick-upon-Tweed*, to the Barrister at Law for the Time being appointed to certify the Rules of Friendly Societies there, and in *Scotland* to the Lord Advocate, or any Depute appointed by him to certify the Rules of Friendly Societies there, and in *Ireland* to the Barrister for the Time being appointed to certify the Rules of Friendly Societies there, for the Purpose of ascertaining whether such Society is entitled to the Benefit of this Act; and such Barrister or Lord Advocate, as the Case may be, shall give a Certificate on each of the said Copies that the Society so applying is entitled to the Benefit of this Act, or shall state in Writing the Grounds on which such Certificate is withheld; and one of such Copies, when certified by such Barrister or Lord Advocate, shall be returned to the Society, another Copy shall be retained by such Barrister or Lord Advocate, and the other of such Copies shall be transmitted by such Barrister or Lord Advocate to the Clerk of the Peace for the Borough or County where the Land or Buildings of such Society in respect of which such Exemption is claimed shall be situated, and shall by him be laid before the Recorder or Justices for such Borough or County at the General Quarter Sessions, or Adjournment thereof, held next after the Time when such Copy shall have been so certified, and transmitted to him as aforesaid, and the Recorder or Justices then and there present are hereby authorized and required, without Motion, to allow and confirm the same; and such Copy shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his Custody, without Fee or Reward.

One certified Copy to be returned to the Society; one to be retained by the Barrister; and the other transmitted to the Clerk of the Peace.

Certain Alterations made in the Rules to be certified and deposited in like Manner.

III. And be it enacted, That if the Laws, Rules, and Regulations of any such Society shall be altered, so as to affect or relate to the Property or Constitution of such Society, such Alterations shall, within One Calendar Month after the same shall have been made, be submitted to such Barrister or Lord Advocate, and such Barrister or Lord Advocate shall certify as aforesaid; and such Rules, when so certified, shall be filed with the Clerk of the Peace as aforesaid; and in the meantime such Society shall be entitled to the Benefit of this Act, as if no such Alterations had been made: Provided always, that if the said Barrister or Lord Advocate shall refuse to certify, that then, subject to such Appeal as is herein-after provided, the said Society shall cease to be entitled to the Benefit of this Act from the Time when such Alterations shall come into operation.

In case of Refusal to certify.

Fee to be paid to the Barrister or Lord Advocate.

IV. Provided always, and be it enacted, That the Fee payable to such Barrister or Lord Advocate for perusing the Laws, Rules, and Regulations of each Society, or the Alterations made therein, and giving such Certificate or Statement as aforesaid, shall not at any One Time exceed the Sum of One Guinea, which, together with the Expence of transmitting the Rules to and from the said Barrister or Lord Advocate, shall be defrayed by each Society respectively.

Provision in Cases where Certificate is refused.

V. Provided always, and be it enacted, That in case any such Barrister or Lord Advocate shall refuse to certify that any such Society is entitled to the Benefit of this Act, it shall then be lawful for any such Society to submit the Laws, Rules, and Regulations thereof to the Court of Quarter Sessions for the Borough or County where the Land or Buildings of the Society shall be situated, together with the Reasons so assigned by the said Barrister or Lord Advocate as aforesaid; and the Recorder or Justices at such Quarter Sessions shall and may, if he or they think fit, order the same Rules to be filed, notwithstanding such Refusal as aforesaid; and such filing shall have the same Effect as if the said Barrister or Lord Advocate had certified as aforesaid.

Appeal to Quarter Sessions.

VI. Provided also, and be it enacted, That any Person or Persons assessed to any Rate from which any Society shall be exempted by this Act may appeal from the Decision of the said Barrister or Lord Advocate in granting such Certificate as aforesaid to the said Court of Quarter Sessions, within Four Calendar Months next after the first Assessment of such Rate made after such Certificate shall have been filed as aforesaid, or within Four Calendar Months next after the first Assessment of such Rate made after such Exemption shall have been claimed by such Society, such Appellant first giving to the Clerk or Secretary of the Society in question, Twenty-one Days previously to the Sitting of the said Court, Notice in Writing of his Intention to bring such Appeal, together with a Statement in Writing of the Grounds thereof, and within Four Days after such Notice entering into a Recognizance before some Justice, with Two sufficient Sureties, to try such Appeal at and abide the Order of and pay such Costs as shall be awarded by the Recorder or Justices at such Quarter Sessions; and at such Quarter Sessions such Recorder or Justices shall, on its being proved that such Notice and Statement have been given as aforesaid, proceed to hear such Appeal, according to the Grounds set forth in such Statement, and not otherwise, and, if the Certificate of the said Barrister or Lord Advocate shall appear to him or them to have been granted contrary to the Provisions of this Act, shall and may annul the same, and shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as he or they shall think proper, and his or their Determination concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

CAP. XXXVII.

An Act to make better Provision for the Spiritual Care of populous Parishes. [28th *July* 1843.]

'WHEREAS it is expedient to make better Provision for the Spiritual Care of populous Parishes, and 'to render the Estates and Revenues vested in "The Ecclesiastical Commissioners for *England*," 'and the Funds at the Disposal of "The Governors of the Bounty of Queen *Anne* for the Augmentation 'of the Maintenance of the Poor Clergy," applicable immediately to such Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Ecclesiastical Commissioners for *England* may, upon the Conditions herein-after mentioned, forthwith borrow, and the said Governors of the Bounty of Queen *Anne*, together with the Most

Queen Anne's Bounty Board

Most Reverend *William Howley* Lord Archbishop of *Canterbury*, may, upon the Security herein-after mentioned, forthwith lend and transfer to the said Commissioners, the Capital Sum of Six hundred thousand Pounds Three Pounds *per Centum* Reduced Bank Annuities, Part of a certain Sum of such Stock now standing in the Names of the said Governors and of the said Archbishop in the Books of the Governor and Company of the Bank of *England*.

may lend Ecclesiastical Commissioners for England a Sum of Stock.

II. And be it enacted, That at any Time and from Time to Time the said Commissioners may borrow, and the said Governors and the Archbishop of *Canterbury* for the Time being may, if they shall think fit, lend and transfer to the said Commissioners, in like Manner, and upon the like Security and Conditions, any further Capital Sum or Sums of Stock, being Part of the Stock so standing as aforesaid.

Bounty Board may lend further Sums of Stock.

III. And be it enacted, That the said Commissioners shall, upon the Transfer of any such Stock as aforesaid into their Names in the Books of the said Governor and Company, accept the same in such Books, and shall pay or cause to be paid to the said Governors, by half-yearly Payments on the Tenth Day of *April* and the Fourteenth Day of *October* in every Year, a Sum equal in Amount to the Amount of the Dividends which such Stock, or so much thereof as shall on such Days respectively remain unreplaced, would produce; and that it shall be lawful for the said Commissioners at any Time to replace the Whole or any Part of any such Sum of Stock.

Commissioners to pay Dividends half-yearly.

IV. And be it enacted, That all the Monies from Time to Time accruing to the said Commissioners by reason of the Suspension of Canonries by or under the Provisions of an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, and of an Act passed in the Session of Parliament held in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for* England, and all the Lands, Tithes, Rent-charges, Tenements, and other Hereditaments vested or to be vested in them under the Provisions of the same Acts or of this Act, and the Rents and Profits thereof, shall be and the same are hereby charged and made chargeable with all such half-yearly Payments as aforesaid, and also with the Repayment and replacing of the whole Capital Stock so to be lent and transferred to them, if any such half-yearly Payment, or any Part thereof, shall remain unpaid for Twenty Days next after either of the Days upon which the same shall have become due and payable as aforesaid; and that upon any such Default as last mentioned the said Governors shall, by virtue of this Act, and upon Proof of such Default, have the same and the like Remedies at Law against the said Ecclesiastical Commissioners for *England*, and upon and over all the Monies, Lands, Tithes, Rent-charges, Tenements, and other Hereditaments in their Possession or Power under the Provisions of the said recited Acts, for the Recovery of such Capital Stock, or so much thereof as shall then remain unreplaced, together with all Arrears of half-yearly Payments due thereon as aforesaid, as if the said Commissioners had duly executed a Deed under their Common Seal, covenanting for Repayment to the said Governors of such Stock and for making such half-yearly Payment on the Day when such Default shall have become complete as aforesaid; and that such Transfer and Acceptance as aforesaid shall be sufficient Evidence of such Covenant.

The whole Property of the Commissioners under the Cathedral Acts to be Security for every such Loan.
3&4Vict. c. 113.
4 & 5Vict. c. 39.

V. Provided also, and be it enacted, That it shall be lawful for the said Governors, if they shall see fit, at or after the Expiration of Thirty Years from the Date of the lending and transferring of the said Sum, and at or after the Expiration of a like Number of Years from and after the lending and transferring of any further Sum of such Stock as aforesaid, to give Notice to the said Commissioners, in Writing under their Corporate Seal, requiring them to replace, in the Names of the said Governors and of the Lord Archbishop of *Canterbury* for the Time being, the whole of such Sums of Stock respectively, or such Part thereof respectively as shall at the Date of such Notice remain unreplaced, and the said Commissioners shall proceed to replace the same accordingly, by yearly Instalments, amounting at the least to One Twelfth Part of such Sums of Stock respectively, or of such remaining Part thereof as aforesaid, and upon default of their duly replacing any such Instalment the said Governors shall have the like Remedies for recovering the same as for any Default in making any such half-yearly Payment as aforesaid.

Bounty Board may require Repayment of Capital after Thirty Years.

VI. And be it enacted, That, notwithstanding the Charge by this Act created, all the same and the like Rights and Powers of Ownership, as are possessed and enjoyed respecting and over any Lands, Tithes, Rent-charges, Tenements, or other Hereditaments whatsoever, by any absolute Owner thereof, shall be enjoyed by the said Commissioners with respect to and over all or any Lands, Tithes, Rent-charges, Tenements, and other Hereditaments vested and liable to be vested in them by or under the Provisions of the said recited Acts, and may, subject to the Provisions of the same Acts and of this Act, be exercised by them, by proper Instruments in Writing duly executed according to Law, but in the Case of any such Lands, Tithes, Rent-charges, and other Hereditaments not actually in their Possession, with the Consent of the respective Holders thereof, testified by their being made Parties to such Instruments; and that the Consent of the said Governors shall not be in any Case required to the Exercise by the said Commissioners of any such Rights and Powers as aforesaid, notwithstanding such Charge: Provided always, that every Sum of Money received as the Consideration or Purchase Money for the Sale, Transfer, or Conveyance by the said Commissioners of any of such Lands, Tithes, Tenements, or other Hereditaments, or of any Estate or Interest therein, and also every Sum of Money received by them as the Foregift or Fine for the granting or renewing of any Lease, shall, unless it be deemed expedient by the said Commissioners to apply any such Sum or any Part thereof in replacing any Stock so lent and transferred as aforesaid, which they are hereby empowered to do, be applied by them, so soon as conveniently may be after the Receipt thereof, in the Purchase of Lands, Tithes, Rent-charges, Tenements, or other Hereditaments, or

Commissioners to have full Rights of Ownership over the Lands, &c. vested in them, subject to certain Conditions.

of some Estate or Interest therein, and shall in the meantime be invested in some Government or Parliamentary Stock or other Public Securities in *England*, the said Commissioners being at liberty to apply the Interest and Dividends of such Stock or Securities, and the Rents and Profits of such Lands, Rentcharges, Tithes, Tenements, and other Hereditaments, to the Purposes of the said recited Acts or of this Act.

Commissioners to have full Power over Stock.

VII. And be it enacted, That the said Commissioners shall, for the Purposes and subject to the Provisions of the said recited Acts and of this Act, have full Power and Right of Property over all the Stock so lent and transferred to them by the said Governors as aforesaid.

Stock not to be used, nor Lands sold, without Approval of Her Majesty in Council.

VIII. Provided always, and be it enacted, That no Part of the Capital of such Stock shall be applied to such Purposes as aforesaid, nor shall any such Lands, Tithes, Tenements, or other Hereditaments as aforesaid be sold, transferred, or conveyed, except by the Authority in the said recited Acts provided; (that is to say,) by a Scheme prepared by the said Commissioners, and an Order issued by Her Majesty in Council ratifying such Scheme.

Districts may be constituted for Spiritual Purposes;

IX. 'And whereas there are divers Parishes, Chapelries, and Districts of great Extent, and containing 'a large Population, wherein or in Parts whereof the Provision for Public Worship and for Pastoral 'Superintendence is insufficient for the Spiritual Wants of the Inhabitants thereof;' be it therefore enacted, That if at any Time it shall be made to appear to the said Ecclesiastical Commissioners for *England*, that it would promote the Interests of Religion that any Part or Parts of any such Parish or Parishes, Chapelry or Chapelries, District or Districts, or any Extra-parochial Place or Places, or any Part or Parts thereof, should be constituted a separate District for Spiritual Purposes, it shall be lawful, by the Authority aforesaid, with the Consent of the Bishop of the Diocese under his Hand and Seal, to set out by Metes and Bounds, and constitute a separate District accordingly, such District not then containing within its Limits any consecrated Church or Chapel in use for the Purposes of Divine Worship, and to fix and declare the Name of such District: Provided always, that the Draft of any Scheme for constituting any such District, proposed to be laid before Her Majesty in Council by the said Commissioners, shall be delivered or transmitted to the Incumbent and to the Patron or Patrons of the Church or Chapel of any Parish, Chapelry, or District out of which it is recommended that any such District or any Part thereof should be taken, in order that such Incumbent, Patron or Patrons, may have an Opportunity of offering or making, to the said Commissioners or to such Bishop, any Observations or Objections upon or to the constituting of such District; and that such Scheme shall not be laid before Her Majesty in Council, until after the Expiration of One Calendar Month next after such Copy shall have been so delivered or transmitted, unless such Incumbent and Patron or Patrons shall in the meantime consent to the same: Provided also, that in every Scheme for constituting any such District the said Commissioners shall recommend to Her Majesty in Council, that the Minister of such District, when duly licensed as hereinafter mentioned, shall be permanently endowed, under the Provisions herein-after contained, to an Amount of not less than the annual Value of One hundred Pounds; and also, if such Endowment be of less than the annual Value of One hundred and fifty Pounds, that the same shall be increased under the like Provisions to such last-mentioned Amount, at the least, so soon as such District shall have become a new Parish, as herein-after provided.

and are to be endowed to a certain Amount at the least.

Map of District to be annexed to Scheme, and registered.

X. And be it enacted, That a Map or Plan, setting forth and describing such Metes and Bounds, shall be annexed to the Scheme for constituting such District, and transmitted therewith to Her Majesty in Council, and a Copy thereof shall be registered by the Registrar of the Diocese, together with any Order issued by Her Majesty in Council for ratifying such Scheme: Provided always, that it shall not be necessary to publish any such Map or Plan in the *London Gazette*.

Minister to be nominated and licensed to District.

XI. And be it enacted, That upon any such District being so constituted, a Minister may and shall be nominated thereto in manner herein-after provided, and may thereupon be licensed thereto by the Bishop, and shall have Power to perform and shall perform within such District all such Pastoral Duties appertaining to the Office of a Minister according to the Rites and Usages of the United Church of *England* and *Ireland* as shall be specified and set forth in his Licence, and, when a Building shall be licensed within such District for Divine Worship in manner herein-after provided, shall also perform such Services and Offices as shall be specified and set forth in the same or any further Licence granted in that Behalf by the Bishop of the Diocese; and such Minister shall perform such Pastoral Duties, Services, and Offices respectively, independently of the Incumbent or Minister of the Church of any Parish, Chapelry, or District out of which such new District or any Part thereof shall have been taken, and shall, so far as the Performance of the same may be authorized by such Licence or Licences, have the Cure of Souls in and over such new District: Provided always, that no Burials shall be performed in such licensed Building, and that nothing in this Act contained shall empower such Bishop to include in any such Licence the Solemnization of Marriages.

Style and Character of Minister;

XII. And be it enacted, That such Minister shall be styled "The Minister of the District of ," according to the Name thereof so fixed as aforesaid, and shall be in all respects subject to the Jurisdiction of the Bishop and Archdeacon within whose Diocese and Archdeaconry such District shall be situate, and shall only be removeable from his Office of such Minister for the like Reasons and in the same Manner as any Perpetual Curate is now by Law removeable; and such Minister shall be a Body Politic and Corporate, and shall have perpetual Succession, as well by the Name and in the Character aforesaid, as by the Name and in the Character of Perpetual Curate herein-after mentioned and provided, as the Case may be; and such Minister and Perpetual Curate respectively may, in such Name and Character respectively, notwithstanding the Statutes of Mortmain, receive and take, to him and his Successors, as well every Grant of Endowment

Power to hold Endowments.

Endowment or Augmentation made or granted by the Authority aforesaid, as also any Real or Personal Estate or Effects whatsoever which any Person or Persons or Body Corporate may give or grant to him according to Law.

Bishop may license a temporary Place of Worship.

XIII. And be it declared and enacted, That it shall be lawful for the Bishop of the Diocese, at any Time after the constituting of any such District as aforesaid, to license any Building, within such District, which he may consider to be fit and proper for such Purpose, for the Performance of Divine Service by such Minister according to the Rites and Usages of such United Church; and such Minister may for any Churchings performed under any such Licence receive such Fees as shall be fixed and determined in manner herein-after provided; and all Laws now in force relating to the Registration of Baptisms shall apply to all Baptisms performed under any such Licence.

Not to prevent Marriages and Burials in Mother Church, nor affect certain other Rights.

XIV. Provided always, and be it enacted, That, until a Church or Chapel shall have been built or acquired within such District, and shall have been approved and consecrated as herein-after provided, nothing herein contained shall prejudice or affect the Right of any Incumbent of any other Church or Chapel, who before the constituting of such District possessed the entire Cure of Souls within the same or any Part thereof, to publish any Banns, solemnize any Marriages, or perform any Burials in his own Church or Chapel which he could have published, solemnized, or performed therein, or to receive any Fees, Dues, or Emoluments (except the Fees herein-before authorized to be received by the Minister of such District) which as such Incumbent he could have received if such District had not been constituted, nor any Right to attend Divine Service in any other Church or Chapel, which any Inhabitant of such District possessed before such District was constituted.

District to become a new Parish upon a Church being consecrated.

XV. And be it enacted, That when any Church or Chapel shall be built, purchased, or acquired in any District constituted as aforesaid, and shall have been approved by the said Commissioners, by an Instrument in Writing under their Common Seal, and consecrated as the Church or Chapel of such District, for the Use and Service of the Minister and Inhabitants thereof, such District shall, from and after the Consecration of such Church or Chapel, be and be deemed to be a new Parish for Ecclesiastical Purposes, and shall be known as such by the Name of "The new Parish of ," instead of "The District of ," according to the Name so as aforesaid fixed for such District; and such Church or Chapel shall become and be the Church of such new Parish accordingly; and any Licence granted by the Bishop, licensing any Building for Divine Worship as aforesaid, shall thereupon become void; and it shall be lawful to publish Banns of Matrimony in such Church, and according to the Laws and Canons in force in this Realm to solemnize therein Marriages, Baptisms, Churchings, and Burials, and to require and receive such Fees upon the Solemnization of such Offices or any of them as shall be fixed by the Chancellor of the Diocese in which such new Parish shall be situate, and which Fees, and also the Fees for Churchings to be received as aforesaid by the Minister of such District, such Chancellor is hereby empowered and required to fix accordingly; and the like *Easter* Offerings and Dues may be received within the Limits of such new Parish by the Perpetual Curate thereof as are and were, at and before the Time of the passing of this Act, payable to the Incumbent of the Church of the principal Parish of which such new Parish originally formed a Part; and the several Laws, Statutes, and Customs in force relating to the Publication of Banns of Matrimony, and to the Performance of Marriages, Baptisms, Churchings, and Burials, and the registering thereof respectively, and to the suing for and recovering of Fees, Oblations, or Offerings in respect thereof, shall apply to the Church of such new Parish, and to the Perpetual Curate thereof for the Time being: Provided always, that it shall not be lawful for any such Minister or Perpetual Curate to receive any Fee for the Performance of any Baptism, within his District or new Parish as the Case may be, or for the Registration thereof.

Minister to become Perpetual Curate of new Parish.

XVI. And be it enacted, That upon any such District so becoming a new Parish, the Minister of such District, having been duly licensed, shall, without any further Process or Form in Law, become and be Perpetual Curate of such new Parish and of the Church thereof, and shall have exclusive Cure of Souls in and over such Parish; and shall be a Body Politic and Corporate, and have perpetual Succession; and that such Parish and Church shall be and be deemed to be a Perpetual Curacy, and a Benefice with Cure of Souls, to all Intents and Purposes.

Churchwardens to be chosen.

XVII. And be it enacted, That in every such Case of a District so becoming a new Parish Two fit and proper Persons, being Members of the United Church of *England* and *Ireland*, shall, within Twenty-one Days from the Consecration of the Church thereof, be chosen Churchwardens for such new Parish, one being chosen by the Perpetual Curate thereof, and the other by the Inhabitants residing therein and having a similar Qualification to that which would entitle Inhabitants to vote at the Election of Churchwardens for the principal Parish as aforesaid, or the Majority of such Inhabitants, and such Election shall take place at a Meeting to be summoned in such Manner in all respects as such Perpetual Curate shall direct; and such Persons shall continue such Churchwardens until the next usual Period of appointing Parish Officers following their Appointment; and at the like Time in every Year Two such Persons shall thenceforward be chosen by the Perpetual Curate for the Time being and Inhabitants assembled as aforesaid; and every Person so chosen as aforesaid shall be duly admitted, and shall do all Things pertaining to the Office of Churchwarden as to Ecclesiastical Matters in the said new Parish: Provided always, that nothing herein contained shall render any such Churchwardens liable or competent to perform the Duties of Overseer of the Poor in respect of such their Office of Churchwardens.

Act not to affect Parochial Rights, &c.

XVIII. Provided always, and be it enacted, That, until Parliament shall otherwise determine, nothing herein contained shall be construed to affect or alter any Rights, Privileges, or Liabilities whatsoever, Ecclesiastical or Civil, of any Parish, Chapelry, or District, except as is herein expressly provided.

XIX. And

Endowment of Minister.

XIX. And be it enacted, That the said recited Acts, so far as they apply to making better Provision for the Cure of Souls, shall extend to authorize the Endowment or Augmentation of the Income of such Ministers and Perpetual Curates as aforesaid, to such an Amount or in such Proportion, and in such Manner, as shall be deemed expedient by the Authority aforesaid; and also to authorize the assigning, at any Time and from Time to Time, to the Incumbent of any Church or Chapel, whose Fees, Dues, or other Emoluments shall be diminished by or in consequence of any Proceeding under the Provisions of this Act, and, if it be deemed fit by the like Authority, to his Successors also, of such an annual Sum as shall, upon due Inquiry, appear to be a just and reasonable Compensation for such Diminution.

Compensation to Incumbent of Mother Church.

Patronage may be conferred upon Contributors to Endowment or to a Church, or their Nominees.

XX. And be it enacted, any Law, Statute, or Canon to the contrary notwithstanding, That it shall be lawful, by the Authority aforesaid, at any Time, to assign the Right of Patronage of any such District or new Parish as aforesaid, and the Nomination of the Minister or Perpetual Curate thereof respectively, either in perpetuity or for One or more Nomination or Nominations, to any Ecclesiastical Corporation Aggregate or Sole, or to either of the Universities of *Oxford*, *Cambridge*, or *Durham*, or to any College therein respectively, or to any Person or Persons, or the Nominee or Nominees of such Person or Persons or Body respectively, upon Condition of such Corporation, University, College, Person or Persons contributing to the permanent Endowment of such Minister or Perpetual Curate, or towards providing a Church or Chapel for the Use of the Inhabitants of such District or new Parish, in such Proportion and in such Manner as shall be approved by the like Authority.

Remaining Patronage to be exercised alternately by Crown and Bishops.

XXI. And be it enacted, That the Right of Patronage and Nomination of every such Minister and Perpetual Curate, unless or until such Right of Patronage and Nomination shall be otherwise wholly assigned, or except so far as the same shall be otherwise in part assigned, under the Provisions in that Behalf herein-before last contained, shall and may be exercised alternately by Her Majesty and Her Successors and the Bishop of the Diocese for the Time being in which the District or new Parish shall be situate; the first such Nomination being in each Case made by Her Majesty.

Powers of Bounty Board as to Endowment under 2&3 Ann. c.11. and 45 G.3. c.84. conferred upon Commissioners for the Purposes of this Act.

27 Hen. 8. c. 16.

XXII. And for the Encouragement of such Persons as shall be disposed to contribute towards the Purposes of this Act, and that their Charity may be rightly applied, be it enacted, That all and every Person or Persons, or Body Corporate, having in his or their own Right any Estate or Interest in Possession, Reversion, or Contingency of or in any Lands, Tithes, Tenements, or other Hereditaments, or any Property of or in any Goods or Chattels, shall have full Power, Licence, and Authority, at his and their Will and Pleasure, by Deed inrolled in such Manner and within such Time as is directed by the Statute made in the Twenty-seventh Year of the Reign of King *Henry* the Eighth, intituled *An Act concerning Enrolments of Bargains and Contracts of Lands and Tenements*, in the Case of any Lands, Tithes, Tenements, or other Hereditaments, (but without any Deed in the Case of any Goods or Chattels,) or by his or their Testament in Writing, duly executed according to Law, to give and grant to and vest in the said Ecclesiastical Commissioners for *England* and their Successors all such his or their Estate, Interest, or Property in such Lands, Tithes, Tenements, or other Hereditaments, Goods, and Chattels, or any Part or Parts thereof, for and towards the Endowment or Augmentation of the Income of such Ministers or Perpetual Curates as aforesaid, or for or towards providing any Church or Chapel for the Purposes and subject to the Provisions of this Act, and to be for such Purposes respectively applied, according to the Will of such Benefactors respectively, as in and by such Deed inrolled, or such Testament executed as aforesaid, may be expressed, or, in the Case of no Deed or Testament, as may in some other Manner be directed, and in default of such Expression or Direction then in such Manner as shall be directed by the Authority herein-before mentioned; and such Commissioners and their Successors shall have full Capacity and Ability to purchase, receive, take, hold, and enjoy, for the Purposes aforesaid, as well from such Persons as shall be so charitably disposed to give the same, as from all other Persons who shall be willing to sell or aliene to the said Commissioners any Lands, Tithes, Tenements, or other Hereditaments, Goods, or Chattels, without any Licence or Writ of Ad quod damnum, the Statute of Mortmain, or any other Statute or Law, to the contrary notwithstanding.

Powers of 3&4 Vict. c.113. and 4 & 5 Vict. c. 39. extended to this Act.

XXIII. And be it enacted, That all the Powers and Authorities vested in Her Majesty in Council and in the said Commissioners by the said recited Acts, with reference to the Matters therein contained, and all other the Provisions of the same Acts relating to Schemes and Orders prepared, made, and issued for the Purposes thereof, shall be continued and extended and shall apply to Her Majesty in Council and to the said Commissioners, and to all Schemes and Orders prepared, made, and issued by them respectively, with reference to all Matters contained in this Act, as fully and effectually as if the said Powers, Authorities, and other Provisions were repeated herein; and the Provisions contained in an Act passed in the Second Year of Her Majesty's Reign, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy*, respecting the Party or Parties to be deemed Patron or Patrons, for the Purposes of Notice to be served upon and Consent to be given by such Patron or Patrons, and also respecting the Manner in which and the Party by whom any such Consent is to be given, shall be construed to apply to the like Matters respectively under this Act.

1&2 Vict. c.106.

Church Building Commissioners may make Grants for Purposes of this Act.

XXIV. 'And whereas it may be expedient that Her Majesty's Commissioners for building new Churches 'should be able to apply a Portion of the Funds placed at their Disposal towards promoting the Purposes 'of this Act;' be it enacted, That it shall be lawful for the said Commissioners to make any such Grant in aid of the Erection of any such new Church or Chapel as aforesaid as shall seem fit to them, if they are authorized so to do under the Church Building Acts, although the Right of Patronage of such Church or Chapel may not belong on the Consecration thereof to the Incumbent of the original Parish in which such Church or Chapel shall be situate, any thing in such Acts to the contrary notwithstanding.

XXV. 'And

XXV. 'And whereas an Act was passed in the Seventeenth Year of the Reign of King *Charles* the Second, intituled *An Act for uniting Churches in Cities and Towns Corporate*, which, besides the Provisions indicated by the Title of the said Act, contains Enactments enabling Impropriators to augment Parsonages or Vicarages in certain Cases, and Incumbents in certain Cases to receive Lands, Tithes, and other Hereditaments, without Licence in Mortmain: And whereas by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy*, the whole of the said Act of King *Charles* the Second was repealed, and more extensive Provisions were made for the uniting of Churches, but none for Augmentations or holding in Mortmain according to the same Act; and it is expedient that the last-mentioned Enactments should be revived:' Be it therefore enacted, That so much of the said Act of King *Charles* the Second as enables any Owner or Proprietor of any Impropriation, Tithes or Portion of Tithes, to annex the same or any Part thereof unto the Parsonage, Vicarage, or Curacy of the Parish Church or Chapel where the same lie or arise, or to settle the same in Trust for the Benefit of such Parsonage, Vicarage, or Curacy, and authorizes Parsons, Vicars, or Incumbents to receive Lands, Tithes, or other Hereditaments without Licence of Mortmain, shall be and the same is hereby revived; and that all Augmentations and Grants at any Time heretofore made according to the said Act of King *Charles* the Second shall be as good and effectual as if the same had never been repealed.

So much of 17 Car. 2. c. 3. as enables Impropriators to augment (repealed by 1&2 Vict. c. 106. s. 15.) revived.

XXVI. And be it enacted, That this Act shall extend only to *England* and *Wales*, the *Isle of Man*, the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and the *Scilly Islands*.

Act not to extend to Scotland or Ireland.

XXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

CAP. XXXVIII.

An Act to make further Regulations for facilitating the hearing Appeals and other Matters by the Judicial Committee of the Privy Council. [28th *July* 1843.]

'WHEREAS it has been found expedient to make further Regulations for hearing and making Report to Her Majesty in Appeals and other Matters referred to the Judicial Committee of the Privy Council, and for the more effectual Appointment of Surrogates in Ecclesiastical and Maritime Causes of Appeal, and for making Orders or Decrees incidental to such Causes of Appeal, and for the Punishment of Contempts, and compelling Appearances and Enforcement of Judgments, Orders, and Decrees of Her Majesty in Council, or of the said Judicial Committee, or their Surrogates, in such Causes of Appeal:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any Appeal, Application for Prolongation or Confirmation of Letters Patent, or other Matter referred or hereafter to be referred by Her Majesty in Council to the Judicial Committee of the Privy Council, it shall be lawful for Her Majesty, by Order in Council or special Direction under Her Royal Sign Manual, having regard to the Nature of the said Appeal or other Matter, and in respect of the same not requiring the Presence of more than Three Members of the said Committee, to order that the same be heard, and when so ordered it shall be lawful that the same shall be accordingly heard by not less than Three of the Members of the said Judicial Committee, subject to such other Rules as are applicable, or under this Act may be applicable, to the hearing and making Report on Appeals and other Matters by Four or more of the Members of the said Judicial Committee.

Appeals, &c. may be heard by not less than Three Members of the Judicial Committee of the Privy Council under a special Order of Her Majesty.

II. And be it enacted, That in respect of all Incidents, Emergents, Dependents, and Things adjoined to, arising out of, or connected with Appeals from any Ecclesiastical Court, or from any Admiralty or Vice Admiralty Court, (save in giving a Definitive Sentence, or any Interlocutory Decree having the Force and Effect of a Definitive Sentence,) the said Judicial Committee and their Surrogates shall have full Power, subject to such Rules, Orders, and Regulations as shall from Time to Time be made by the said Judicial Committee, (with the Approval of Her Majesty in Council,) to make all such Interlocutory Orders and Decrees, and to administer all such Oaths and Affirmations, and to do all such Things as may be necessary, or the Judges of the Courts below appealed from or their Surrogates in the Cases appealed, or the Judges of the Courts appealed to or their Surrogates, or the Lords Commissioners of Appeals in Prize Causes or their Surrogates, and the Judges Delegate or their Con-delegates under Commissions of Appeal under the Great Seal in Ecclesiastical and Maritime Causes of Appeal, would respectively have had before an Act passed in the Third Year of the Reign of His late Majesty, intituled *An Act for transferring the Powers of the High Court of Delegates, both in Ecclesiastical and Maritime Causes, to His Majesty in Council*, and another Act passed in the following Session of Parliament, intituled *An Act for the better Administration of Justice in His Majesty's Privy Council*, were passed.

Powers of the Judicial Committee and their Surrogates in respect to Appeals from Ecclesiastical and Admiralty Courts.

2&3W. 4. c. 92.

3&4W. 4. c. 41.

III. And be it enacted, That the Surrogates and Examiners of the Arches Court of *Canterbury* and the High Court of Admiralty of *England*, and such Persons as shall from Time to Time be appointed Surrogates or Examiners of the said Courts, shall be by virtue of this Act Surrogates and Examiners respectively of the Judicial Committee of the Privy Council in all Causes of Appeal from Ecclesiastical Courts and from any Admiralty or Vice Admiralty Court.

Surrogates and Examiners in Ecclesiastical and Admiralty Appeals.

IV. And be it enacted, That all Orders, Decrees, and Things heretofore done and expedited in such Causes of Appeal by the Surrogates appointed by the said Judicial Committee of the Privy Council shall be deemed to be valid and effectual, if otherwise lawfully done and expedited, notwithstanding any Informality or Want of Authority in respect to the same in the Orders of His late Majesty in Council of the

Past Proceedings of Surrogates of the Judicial Committee valid,

notwithstanding certain Informalities.

the Fourth Day of *February* One thousand eight hundred and thirty-three, of the said Judicial Committee of the Fifth Day of *February* One thousand eight hundred and thirty-three, of the Order of His late Majesty in Council of the Ninth Day of *December* One thousand eight hundred and thirty-three, of an Order of the said Judicial Committee of the Tenth Day of *December* One thousand eight hundred and thirty-three, and an Order of His late Majesty in Council of the Twelfth Day of *August* One thousand eight hundred and thirty-five.

Manner of conducting Appeals before the Judicial Committee.

V. And be it enacted, That, subject to such Rules and Regulations as may from Time to Time be made by the said Judicial Committee with the Approval of Her Majesty in Council, and save and in so much as the Practice thereof may be varied by the said Acts of the Reign of His late Majesty or by this Act, the said Causes of Appeal to Her Majesty in Council shall be commenced within the same Times, and conducted in the same Form and Manner, and by the same Persons and Officers, as if Appeals in the same Causes had been made to the Queen in Chancery, the High Court of Admiralty of *England*, or the Lords Commissioners of Appeals in Prize Causes respectively; and all things otherwise lawfully done and expedited in the said Causes of Appeal by the Registrar of the High Court of Admiralty of *England*, his Deputy or Deputies, in consequence of the passing of the said Acts of the Reign of His late Majesty, shall be deemed to be valid to all Intents whatsoever.

So much of 2 & 3 W. 4. c. 93. as empowers the Judicial Committee and His Majesty in Council to punish Contempts, &c. repealed.

VI. 'And whereas by the Provisions of the herein-before secondly-recited Act it was enacted, that the 'said Judicial Committee should have and enjoy in all respects such and the same Power of punishing 'Contempts and of compelling Appearances, and that His Majesty in Council should have and enjoy in all 'respects such and the same Powers of enforcing Judgments, Decrees, and Orders, (both *in personam* and '*in rem*,) as are given to any Court Ecclesiastical by an Act of Parliament passed in a Session of Parliament of the Second and Third Years of the Reign of His Majesty King *William* the Fourth, intituled *An 'Act for enforcing the Process upon Contempts in the Courts Ecclesiastical of* England *and* Ireland, and 'that all such Powers as are given to Courts Ecclesiastical, if of punishing Contempts or of compelling 'Appearances, should be exercised by the said Judicial Committee, and of enforcing Decrees and Orders 'should be exercised by His Majesty in Council, in such and the same Manner as the Powers in and by 'such Act of Parliament given, and should be of as much Force and Effect as if the same had been 'thereby expressly given to the said Committee or to His Majesty in Council;' be it enacted, That so much of the said Act as relates to the Powers thereby given to the said Judicial Committee and to His Majesty in Council, under the last-recited Act, shall be repealed.

Punishing Contempts, compelling Appearances, enforcing Judgments, &c. in Causes of Appeal.

VII. And be it enacted, That for better punishing Contempts, compelling Appearances, and enforcing Judgments of Her Majesty in Council, and all Orders and Decrees of the said Judicial Committee or their Surrogates, in all Causes of Appeal from Ecclesiastical Courts and from Admiralty or Vice Admiralty Courts, Her Majesty in Council and the said Judicial Committee and their Surrogates shall have the same Powers, by Attachment and Committal of the Person to any of Her Majesty's Gaols, and subsequent Discharge of any Person so committed, as by any Statute, Custom, or Usage belong to the Judge of the High Court of Admiralty of *England*; and the said Judicial Committee shall have the same Immunities and Privileges as are conferred on the Judge of the High Court of Admiralty of *England* under an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to improve the Practice and extend the Jurisdiction of the High Court of Admiralty of* England, as fully as if the same had been thereby expressly given to the said Judicial Committee.

3 & 4 Vict. c. 65.

Orders, &c. may be enforced by Sequestration against certain Persons pronounced contumacious and in Contempt.

VIII. And be it enacted, That in all Causes of Appeal to Her Majesty in Council from Ecclesiastical Courts, and from Admiralty or Vice Admiralty Courts, in which any Person duly monished or cited or required to comply with any lawful Order or Decree of Her Majesty in Council, or of the said Judicial Committee or their Surrogates, and neglecting or refusing to pay Obedience to such lawful Order or Decree, or committing any Contempt of the Process under the Seal of Her Majesty in Ecclesiastical and Maritime Causes, shall reside out of the Dominions of Her Majesty, or shall have Privilege of Peerage, or shall be a Lord of Parliament or a Member of the House of Commons, it shall be lawful for the said Judicial Committee or their Surrogates to pronounce such Person to be contumacious and in Contempt, and after he shall have been so pronounced contumacious and in Contempt to cause Process of Sequestration to issue under the said Seal of Her Majesty against the Real and Personal Estate, Goods, Chattels, and Effects, wheresoever lying within the Dominions of Her Majesty, of the Person against or upon whom such Order or Decree shall have been made, in order to enforce Obedience to the same, and Payment of the Expences attending such Sequestration, and all Proceedings consequent thereon, and to make such further Order in respect of or consequent on such Sequestration, and in respect to such Real and Personal Estate, Goods, Chattels, and Effects sequestrated thereby, as may be necessary, or for Payment of Monies arising from the same to the Person to whom the same may be due or into the Registry of the High Court of Admiralty and Appeals for the Benefit of those who may be ultimately entitled thereto.

Inhibitions, &c. to be in Her Majesty's Name, and of force throughout Her Dominions.

IX. And be it enacted, That all Inhibitions, Citations, Monitions, and other Instruments incidental to or arising out of such Causes of Appeal shall be issued in the Name of Her Majesty, and under Seal of Her Majesty, in Ecclesiastical and Maritime Causes, and shall be of full Authority in all Places throughout the Dominions of Her Majesty.

Monitions for Payments into the Registry of the Admiralty

X. And be it enacted, That in all Appeals in Ecclesiastical and Maritime Causes to Her Majesty in Council it shall be lawful for Her Majesty in Council, and the said Judicial Committee or their Surrogates, at the Petition of any Person interested in the same, to decree Monitions for the Transmission of any Sum or Sums of Money respecting which any Order or Decree may be made, or any Questions may be depending arising

arising out of such Causes, and the Proceeds of all Ships or Vessels, Goods, and Cargoes respecting which any Appeals may be depending, into the Registry of the High Court of Admiralty and Appeals, for the Benefit of the Person or Persons who may be ultimately entitled thereto, or for Payment thereof to the Person to whom the same may be lawfully due. Court under Orders, &c.

XI. And be it enacted, That it shall be lawful for Her Majesty, by Order in Council, to direct that all Causes of Appeal from Ecclesiastical Courts, and from the Vice Admiralty Court of the *Cape of Good Hope*, and all Vice Admiralty Courts to the Westward thereof, in which the Appeal and Petition of Reference to Her Majesty shall have been lodged in the Registry of the High Court of Admiralty and Appeals within Twelve Calendar Months from the giving or pronouncing of any Order, Decree, or Sentence appealed from, and all Causes of Appeal from Vice Admiralty Courts to the Eastward of the *Cape of Good Hope*, in which the Appeal and Petition of Reference to Her Majesty shall have been lodged in the Registry of the High Court of Admiralty and Appeals within Eighteen Calendar Months from the giving or pronouncing any Order, Decree, or Sentence appealed from, shall be referred to the Judicial Committee of the Privy Council, and the said Judicial Committee and their Surrogates shall have full Power forthwith to proceed in the said Appeals, and the usual Inhibition and Citation shall be decreed and issued, and all usual Proceedings taken, as if the same had been referred to the said Judicial Committee by a special Order of Her Majesty in Council in each Cause respectively. *All Appeals from Ecclesiastical and Admiralty Courts may be referred to the Judicial Committee by an Order in Council.*

XII. And be it declared and enacted, That as well the Costs of defending any Decree or Sentence appealed from as of prosecuting any Appeal, or in any Manner intervening in any Cause of Appeal, and the Costs on either Side, or of any Party, in the Court below, and the Costs of opposing any Matter which shall be referred to the said Judicial Committee, and the Costs of all such Issues as shall be tried by Direction of the said Judicial Committee respecting any such Appeal or Matter, shall be paid by such Party or Parties, Person or Persons, as the said Judicial Committee shall order, and that such Costs shall be taxed as in and by the said Act for the better Administration of Justice in the Privy Council is directed respecting the Costs of prosecuting any Appeal or Matter referred by Her Majesty under the Authority of the said Act, save the Costs arising out of any Ecclesiastical or Maritime Cause of Appeal, which shall be taxed by the Registrar herein after named, or his Assistant Registrar. *Costs may be awarded by the Judicial Committee, and taxed.*

XIII. And be it enacted, That the Registrar of the High Court of Admiralty of *England* for the Time being may be appointed by Her Majesty to be Registrar of Her Majesty in Ecclesiastical and Maritime Causes, and shall have Power to appoint an Assistant Registrar, as provided by an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to make Provision for the Judge, Registrar, and Marshall of the High Court of Admiralty of* England, and shall during his good Behaviour, and while he shall be Registrar of the said High Court of Admiralty, hold his Office of Registrar of Her Majesty in Ecclesiastical and Maritime Causes, and shall do all such Things, and shall have the same Powers and Privileges in respect to the same, as belong to his Predecessors in the Office of Registrar of His Majesty in Ecclesiastical and Maritime Causes. *Appointment of Registrar and Assistant Registrar in Ecclesiastical and Maritime Causes.* 3 & 4 Vict. c. 66.

XIV. And be it enacted, That all Records, Muniments, Books, Papers, Wills, and other Documents remaining in the Registry of the High Court of Admiralty and Appeals, appertaining to the late High Court of Delegates and Appeals for Prizes, shall be and remain in the Custody and Possession of the said Registrar of Her Majesty in Ecclesiastical and Maritime Causes. *Custody of Records, &c. of the Court of Delegates and Appeals.*

XV. And be it enacted, That it shall be lawful for the said Judicial Committee from Time to Time to make such Rules, Orders, and Regulations respecting the Practice and Mode of proceeding in all Appeals from Ecclesiastical and Admiralty and Vice Admiralty Courts, and the Conduct and Duties of the Officers and Practitioners therein, and to appoint such Officer or Officers as may be necessary for the Execution of Processes under the said Seal of Her Majesty, and in respect to all Appeals and other Matters referred to them, as to them shall seem fit, and from Time to Time to repeal or alter such Rules, Orders, or Regulations: Provided always, that no such Rules, Orders, or Regulations shall be of any Force or Effect until the same shall have been approved by Her Majesty in Council. *Judicial Committee may make Rules, &c. respecting Practice and Mode of proceeding in Appeals, &c.* *Proviso.*

XVI. 'And whereas, in certain Causes which were depending before the late High Court of Delegates, 'certain Decrees or Orders were made and interposed, and are not yet fully carried into effect: And 'whereas, in consequence of the Death of the Judges Delegate, or some of them, named in the several 'Commissions under the Great Seal, such Decrees or Orders cannot be carried into effect;' be it enacted, That all such Causes of Appeal and Complaint which were depending before the High Court of Delegates, and in which any Decree, Order, or Thing, for the Reason lastly herein-before mentioned, is outstanding and not fully ended and determined, shall be transferred to the Judicial Committee of the Privy Council; and the said Judicial Committee shall take up and proceed with the said Causes in the same Manner as if the same had been originally Causes of Appeal and Complaint depending before the said Judicial Committee. *Judicial Committee of Privy Council to proceed with Causes depending before late High Court of Delegates.*

XVII. And be it enacted, That in this Act all Words denoting a Male Person shall be taken to include a Female also, and all Words denoting one Person or Thing shall be taken to include also several Persons or Things, unless a contrary Sense shall clearly appear from the Context; and that the Words "Arches Court of *Canterbury*," used in this Act, shall be construed to extend to such Court as shall exercise the Jurisdiction of the said Court or be substituted for the same; and that wherever the Words "Ecclesiastical Court" have been used in this Act the same shall be construed to extend to such Court as shall exercise the Jurisdiction or any Part of the Jurisdiction exercised by any Ecclesiastical Court or be substituted for the same; and the Words "Ecclesiastical and Maritime Cause of Appeal" shall be construed to extend to Causes appealed from Ecclesiastical Courts and such Court as shall exercise the Jurisdiction or any Part of the Jurisdiction exercised by any Ecclesiastical Court or be substituted for the same. *Definition of Terms.*

CAP. XXXIX.

An Act for Confirmation of certain Marriages in *Ireland*. [28th *July* 1843.]

Certain Marriages celebrated in Ireland by Protestant Dissenting Ministers to be the same in Law as if solemnized by Clergymen of the Established Church.

'WHEREAS Marriages have in divers Instances been had and celebrated in *Ireland*, by Presbyterian and other Protestant Dissenting Ministers or Teachers, or those who at the Time of such Marriages had been such, between Persons being of the same or different religious Persuasions; and it is expedient to confirm such Marriages:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Marriages had and celebrated in *Ireland*, since the passing of an Act passed in the last Session of Parliament, intituled *An Act for Confirmation of certain Marriages in* Ireland, and before the passing of this Act, by Presbyterian or other Protestant Dissenting Ministers or Teachers, or those who at the Time of such Marriages had been such, shall be, and shall be adjudged and taken to have been and to be, of the same Force and Effect in Law as if such Marriages had been had and solemnized by Clergymen of the United Church of *England* and *Ireland*, and of no other Force nor Effect whatsoever.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended, altered, or repealed by any Act to be passed in this present Session of Parliament.

CAP. XL.

An Act to amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein. [1st *August* 1843.]

8 & 9 W. 3. c. 36. 'WHEREAS an Act was passed in the Session of Parliament held in the Eighth and Ninth Years of King *William* the Third, intituled *An Act for the further Encouragement of the Manufacture of Lustrings and Alamodes within this Realm, and for the better preventing the Importation of the same*, whereby (amongst other Matters therein contained) certain Penalties, Forfeitures, and Punishments therein referred to were imposed upon Persons embezzling or otherwise unlawfully selling or receiving, as therein is mentioned, Silk delivered by the Silk Manufacturers to be worked up: And whereas an

1 Ann. s. 2. c. 18. Act was passed in the First Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for the more effectual preventing the Abuses and Frauds of Persons employed in working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom:* And whereas the said Act was made perpetual by an Act passed in the Ninth Year of the Reign of Her said late Majesty Queen *Anne*, intituled

9 Ann. c. 30. *An Act for reviving and continuing an Act made in the First Year of Her Majesty's Reign, for the more effectual preventing Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom:* And whereas an Act was passed in the

12 G. 1. c. 34. Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act to prevent unlawful Combination of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages:* And whereas an Act was passed in the Thirteenth Year of His late Majesty King *George* the

13 G. 2. c. 8. Second, intituled *An Act to explain and amend an Act made in the First Year of the Reign of Her late Majesty Queen* Anne, *intituled 'An Act for the more effectual preventing the Abuses and Frauds of Persons employed in the working up the Woollen, Linen, Fustian, Cotton, and Iron Manufactures of this Kingdom;' and also for extending the said Act to the Manufacture of Leather:* And whereas an Act was passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Second, intituled

22 G. 2. c. 27. *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hotpressers, and of all Persons employed in the said several Manufactures, and for the better Payment of their Wages:* And whereas another Act was passed in the Seventeenth Year of the Reign of

17 G. 3. c. 56. His late Majesty King *George* the Third, intituled *An Act for amending and rendering more effectual the several Laws now in being for the more effectual preventing of Frauds and Abuses by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and also for making Provisions to prevent Frauds by Journeymen Dyers:* And whereas an Act was passed in the Thirty-second Year of His late Majesty King *George*

32 G. 3. c. 44. the Third, intituled *An Act for extending the Provisions of an Act made in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act to empower the Magistrates therein mentioned to settle and regulate the Wages of Persons employed in the Silk Manufactures within their respective Jurisdictions,' to Manufactures of Silk mixed with other Materials; and for the more effectual Punishment of Buyers and Receivers of Silk purloined and embezzled by Persons employed in the Manufacture thereof:* And whereas the Provisions of the said Acts have not been effectual to prevent Frauds, Embezzlements, and Abuses by Persons employed in the Woollen, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and it is expedient to repeal so much of the said recited Acts as relates to the said Manufactures, and to make further Provisions in lieu thereof, as well for the Benefit and Encouragement of Trade and Manufactures as for the Security of the Property of Manufacturers and the Wages of the Workmen engaged in the said Manufactures:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

assembled, and by the Authority of the same, That from and after the Commencement of this Act so much of the said recited Acts or any of them as relates to the Woollen, Linen, Cotton, Flax, Mohair, and Silk Manufactures, or any of them, or any Manufactures whatsoever made of Wool, Cotton, Flax, Mohair, or Silk Materials, whether the same be or be not mixed with each other or with any other Materials, shall, so far as respects the Manufactures, Trades, Occupations, and Employments herein-after mentioned, be and the same are hereby repealed, save and except so far as the same may have repealed any former Acts or Enactments.

So much of the said Acts as relates to the Woollen, Linen, Cotton, Flax, Mohair, and Silk Manufactures repealed.

II. And be it enacted, That if any Person whosoever intrusted with any Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials, for the Purpose of being prepared, worked up, or manufactured, either by himself or by any Person or Persons to be employed by or under him, or by himself jointly with any Person or Persons to be employed with, by, or under him, or for any Purpose or Work connected with Manufacture or incidental thereto, or any Parts, Branches, or Processes thereof, or any Tools or Apparatus for manufacturing the said Materials, shall sell, pawn, purloin, embezzle, secrete, exchange, or otherwise fraudulently dispose of the same Materials, Tools, or Apparatus, or any Part thereof, he shall, upon being thereof lawfully convicted by the Oath of the Owner of such Materials, Tools, or Apparatus, or any Part thereof, or of any other credible Witness or Witnesses, before Two or more Justices of the Peace, forfeit the full Value of the same, and also forfeit such Penalty, not exceeding Ten Pounds, together with Costs, as to the said Justices shall seem meet; and every such Forfeiture and Penalty shall be applied, under the Direction of the convicting Justices, in manner following; (that is to say,) in the first place, in making such Satisfaction to the Party injured as the said Justices shall think proper; and the Remainder, if any, shall be applied in the same Manner as is herein-after directed for the Disposal of any other Penalty under this Act; and in default of Payment of such Forfeiture and Penalty, with Costs, immediately on Conviction, or within such Period as the Justices so convicting may direct, the said Justices may issue their Warrant to distrain and sell the Goods and Chattels of the Person so convicted, for the Amount thereof, and Costs; and the Proceeds of any Distress, after paying the Penalty, Forfeiture, and Costs, and also the Costs of such Distress, shall be paid over to the Person convicted; but if no sufficient Distress shall appear or shall be found whereon to levy the said Penalty, Forfeiture, and Costs, the said Justices may, either immediately or at any Time after such Conviction, commit any Person so convicted to the Common Gaol or House of Correction, to be there imprisoned, with or without hard Labour, as to the said Justices shall seem meet, for any Term not exceeding Three Calendar Months, unless the Amount of such Forfeiture and Penalty, with Costs, or so much thereof as shall not have been paid previously to the Commencement of such Imprisonment, be sooner paid.

Persons convicted of pawning or embezzling any Materials herein particularized to forfeit the Value of the same, with Penalty, and Costs.

Application of Penalty and Forfeiture.

Distress Warrant on Non-payment.

Commitment in default of sufficient Distress.

III. And be it enacted, That if any Person whosoever intrusted with any Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials, for the Purpose of being prepared, worked up, or manufactured, either by himself or by any Person or Persons to be employed by or under him, or by himself jointly with any Person or Persons to be employed with, by, or under him, or for any Purpose or Work connected with Manufacture or incidental thereto, or any Parts, Branches, or Processes thereof, or with any Tools or Apparatus for manufacturing the said Materials, shall neglect or delay to return the said Materials, Tools, or Apparatus, or any Part thereof, for the Space of Fourteen clear Days after being required so to do by the Party intrusting him therewith, or by some Person on his Behalf, by Notice in Writing to be served upon or left at the last or usual Place of Abode or Business of such Person (unless prevented by some reasonable and sufficient Cause, to be allowed by the Justices before whom he shall be brought), then and in every such Case all or so much or so many of the said Materials, Tools, or Apparatus as shall not be returned to the Person so intrusting him therewith within the Time aforesaid, shall be deemed to be embezzled by the Person so neglecting or delaying to return the same; and the Person so neglecting or delaying to return the same shall for every such Offence be liable to be proceeded against for Embezzlement, in the same Manner, and subject to the same Forfeiture and Penalty, with Costs, and to be applied in the same Manner, as are respectively herein-before prescribed and imposed in respect to Persons selling, pawning, purloining, embezzling, secreting, exchanging, or otherwise fraudulently disposing of the said Materials.

Persons neglecting to return Materials within a prescribed Time to be subject to the same Punishment as for Embezzlement.

IV. And be it enacted, That any Person who shall purchase or take in pawn, or who in any other Way shall receive into his Premises or Possession, any Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials, and whether the same or any Part of the said Materials be or be not wholly or partially wrought, made up, or manufactured into merchantable Wares, or any Tools or Apparatus for manufacturing the same, knowing that such Materials, Tools, or Apparatus are purloined or embezzled or fraudulently disposed of, or that the Person from whom he shall purchase, take in pawn, or receive the same is fraudulently or unlawfully disposing thereof, or knowing such Person to be employed or intrusted by any other Person or Persons to work up either by himself or by or with others the Materials so purchased, taken in pawn, or received for any other Person or Persons, and not having first obtained the Consent of the Person or Persons so employing or intrusting him therewith, shall, on Conviction by the Oath of the Owner or of any other credible Witness or Witnesses, be deemed and adjudged guilty of a Misdemeanor, and be punished in manner herein-after mentioned.

Persons knowingly purchasing or receiving embezzled Materials or Tools, guilty of a Misdemeanor, punishable as after mentioned.

V. And be it enacted, That if any Person shall sell, pawn, pledge, exchange, or otherwise unlawfully dispose of, or offer to sell, pawn, pledge, exchange, or otherwise dispose of, any such Materials, Tools, or Apparatus as aforesaid, knowing the same to have been so purloined or embezzled or received from Persons fraudulently disposing thereof as aforesaid, he shall, on Conviction by the Oath of the Owner of such

Persons knowingly selling, &c. embezzled Materials or Tools, guilty of a Misdemeanor,

punishable as after mentioned.

such Materials, Tools, or Apparatus, or any Part thereof, or of any other credible Witness or Witnesses, be deemed and adjudged guilty of a Misdemeanor, and be punished in manner herein-after mentioned.

Justices empowered to issue Warrant for Apprehension of Offenders against this Act, and to commit them for Trial.

VI. And be it enacted, That on Proof on Oath that there is just Cause to suspect that any such Materials, Tools, or Apparatus as aforesaid have been fraudulently sold, pawned, pledged, purloined, or embezzled by the Person to whom the same were intrusted, or that any such Materials, Tools, or Apparatus have been purchased or received, or sold, pawned, pledged, exchanged, or otherwise unlawfully disposed of, or offered for sale, pawn, pledge, exchange, or other disposal, by any Person knowing the same to have been purloined or embezzled or received from some Person fraudulently disposing thereof, it shall and may be lawful for any One Justice of the Peace and such Justice is hereby required to issue his Warrant for apprehending any such Person, and bringing him before him or some other Justice of the Peace for Examination; and if upon such Examination the Charge of having fraudulently sold, pawned, purloined, embezzled, or otherwise fraudulently disposed of any such Materials, Tools, or Apparatus, or of having purchased or received, or sold, pawned, pledged, exchanged, or otherwise fraudulently disposed of, or of having offered for sale, pawn, pledge, exchange, or other disposal, any such Materials, Tools, or Apparatus, knowing them to have been purloined or embezzled or received from some Person fraudulently disposing thereof, shall be supported by Evidence to raise a strong Presumption of Guilt, such Justice shall commit such Person to the Common Gaol or House of Correction, in order that he may be brought forward for Trial at the next Petty Sessions, unless he enter into such Bail, with Two sufficient Sureties, as may be required for his Appearance before such Court on any Day to be fixed by such Justice.

Workmen neglecting to fulfil their Engagements, not finishing their Work, or leaving without Notice.

VII. And be it enacted, That if any Person intrusted, employed, or contracting to prepare, work up, or manufacture, or to have prepared, worked up, or manufactured, either by himself or by any Person or Persons to be employed by or under him, or by himself jointly with any Person or Persons to be employed by or under him, any Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials, shall not prepare, work up, or manufacture, or cause to be prepared, worked up, or manufactured, the said Materials, and return the same, within Seven clear Days after the Time which shall have been agreed upon between such Person and the Owner of the said Materials, or other the Person intrusting him therewith, and in case no such Time shall have been so agreed upon then within Seven clear Days after being required so to do (unless prevented by some reasonable and sufficient Cause, to be allowed by the Justices before whom he shall be brought), or shall leave or return such Materials without having performed as he could and ought to have done the Work he was employed to perform thereon or thereto, and without the Consent of the Person intrusting him with such Materials as aforesaid, or shall damage the same, or if any Person shall contract or engage to work, or be employed to do or perform, or to have done or performed any Work, in any of the said Manufactures, or connected therewith or incidental thereto, or any Parts, Branches, or Processes thereof, either by himself or by any Person or Persons to be employed by or under him, and whether such Contract or Engagement shall be to work or be employed for any Person exclusively, or for all or Part of his Time, or for specific Work, or otherwise, and whether such Person is to be paid according to the Value or Amount of the Work done, the Time employed, or in any other Manner whatsoever, and shall neglect to fulfil such Contract or Engagement, or absent himself from such Work or Employment before such Notice (if any) as shall have been agreed upon between the said Parties for determining the said Contract or Engagement shall have expired, or without giving such Notice, or contrary to the Terms of such Contract or Engagement (unless prevented as aforesaid), to be allowed as aforesaid, then and in

Penalty.

every such Case such Person, being thereof lawfully convicted on Oath before Two or more Justices of the Peace, shall forfeit any Sum not exceeding Two Pounds as to such Justices shall seem meet, and also, in case the said Materials shall be damaged, the Amount of the Injury done thereto, to be ascertained by the said Justices, together with Costs; and every such Forfeiture shall be applied, under the Direction of the Justices so convicting, in manner following; (that is to say,) in the first place, in making such Satisfaction to the Party injured as the said Justices shall think proper, and the Remainder, if any, shall be applied in the same Manner as any Penalty under this Act; and in default of Payment of such Forfeiture and Costs immediately on Conviction, or within such Period as the Justices so convicting shall direct, the said Justices may either immediately or at any Time after such Conviction commit any Person so convicted to the Common Gaol or House of Correction, there to be imprisoned, with or without hard Labour, as to the said Justices shall seem meet, for any Term not exceeding Two Calendar Months, unless the Amount of such Forfeiture and Costs be sooner paid.

Justice empowered to grant Search Warrants.

VIII. And be it enacted, That upon Proof on Oath before a Justice of the Peace that there is reasonable Cause to suspect that any Person has in his Possession or on his Premises any such Materials, Tools, or Apparatus as aforesaid, which have been purloined, embezzled, or otherwise fraudulently disposed of, it shall be lawful for the said Justice and such Justice is hereby required to grant his Warrant to search the Dwelling House and Premises of such Person, and if any such Property shall be found therein to cause such Materials, Tools, or Apparatus, and the Person in whose Possession or on whose Premises the same shall be found, to be brought before him or some other Justice of the Peace, to be dealt with in the same Manner as any Person brought before a Justice under the Enactment next herein-after contained.

Peace Officers to apprehend suspected Persons.

IX. And be it enacted, That every Peace Officer and Constable and every Watchman duly appointed by Law, during such Time as he shall be on Duty, shall and may apprehend or cause to be apprehended any Person whom he may reasonably suspect of having, or carrying or in any way conveying, at any Time after Sun-setting and before Sun-rising, any such Materials, Tools, or Apparatus as aforesaid, suspected to be purloined, embezzled, or otherwise fraudulently disposed of, and shall lodge such Person, together

together with the Property, in a Police Office or other Place of Security, in order that he may be brought before a Justice of the Peace so soon as convenient, who is hereby empowered to discharge such Person, or to order his Detention until the next Court of Petty Sessions, unless he enter into such Bail, with Two sufficient Sureties, as may be required, for his Appearance before such Court on any Day to be fixed by the said Justice; and if the Person so apprehended in the Act of committing any such Offence as aforesaid, or of conveying any such Property as last aforesaid, shall not produce before the said Court the Person duly entitled to dispose of such Property from whom he bought or received the same, or shall not give an Account to the Satisfaction of the said Court that the Property is honestly come by, then the Person so apprehended shall be deemed and adjudged guilty of a Misdemeanor, and be punished in manner herein-after mentioned, although no Proof shall be given as to whom such Property belongs.

Persons apprehended, and not proving that the Property is honestly come by, to be punishable.

X. And be it enacted, That it shall be competent for the Party accused, in all Proceedings brought under the Authority of this Act, to move for and obtain an Adjournment of the Time fixed for Trial for such a reasonable Time as may appear to the Court to be necessary for the Party accused to produce the Person duly entitled to sell or dispose of the said Property of whom he bought or received the same, or Evidence respecting the same; but the Party accused, and requesting such Adjournment, shall be detained in Custody or committed to Prison, unless he enter into such Bail, with Two sufficient Sureties, as shall be required for his Appearance before such Court at such Time and Place as shall be appointed.

Adjournment of Time for Trial allowed, on Prisoner finding Bail.

XI. And be it enacted, That any Person who shall be deemed and adjudged guilty of a Misdemeanor, agreeably to any of the Provisions of this Act, shall, in addition to being deprived without Compensation of any such Materials, Tools, and Apparatus which have been purloined, embezzled, or otherwise fraudulently disposed of, and which shall have been found in his Possession, forfeit any Sum not exceeding Twenty Pounds for each Offence, together with Costs, upon being thereof lawfully convicted by the Oath of One or more credible Witness or Witnesses, before Two or more Justices of the Peace; and every such Forfeiture shall be applied, under the Direction of the Justices so convicting, in manner following; (that is to say,) in the first place, in making such Satisfaction to the Party injured as the said Justices shall think fit, and the Remainder, if any, shall be applied in the same Manner as is herein-after directed for the Disposal of any other Penalty under this Act; and in default of Payment of such Forfeiture and Penalty, with Costs, immediately on Conviction, or within such Period as the Court shall direct, any Justice or Justices may issue his or their Warrant to distrain and sell the Goods and Chattels of the Person so convicted, for the Amount thereof, and Costs; and the Proceeds of any Distress, after paying the Forfeiture and Costs, and also the Costs of such Distress, shall be paid over to the Person convicted; but if no sufficient Distress shall appear or shall be found whereon to levy the said Forfeiture and Costs, any Justice or Justices may, either immediately or at any Time after such Conviction, commit any Person so convicted to the Common Gaol or House of Correction, to be imprisoned there, with or without hard Labour, as to the said Court shall seem meet, for any Term not exceeding Four Calendar Months, unless the Amount of such Forfeiture and Costs, or so much thereof as shall not have been paid previously to the Commencement of such Imprisonment, be sooner paid.

Punishment of Persons convicted of Misdemeanor.

XII. And be it enacted, That where no Proof shall be given at the Time of Conviction of the Ownership of Property found in the Possession of a Person convicted under this Act, the Justices or Court shall cause the Property so found to be deposited in some safe Place for any Time not exceeding Thirty Days, and shall, if the Property be of sufficient Value to pay the Expences thereof, order an Advertisement to be inserted in One or more of the public Newspapers of the Town or City where, or nearest the Place where, the same was found, and by fixing a Notice on some public Place describing such Property, and where the same may be inspected, or in case of the said Property not being of sufficient Value to pay the said Expences, then by fixing such Notice as aforesaid only; and in case any Person shall prove his own or his Employer's Ownership or Property therein upon Oath to the Satisfaction of a Justice, Restitution of such Property shall be ordered to the Owner thereof, after paying the reasonable Cost of removing, depositing, advertising, and giving Notice of the same; but if no Ownership be proved to such Property the Justice shall, at the Termination of Thirty Days, order such Property to be sold, and after deducting the Charges aforesaid, with the Charges of Sale, shall order the Residue to be applied in the same Manner as is hereafter directed for the Disposal of any other Penalty under this Act.

Disposal of unclaimed Property which has been seized.

XIII. And be it enacted, That it shall be lawful for the Owner of any such Materials as aforesaid, or any other Person duly authorized by him, or other the Person who shall have so intrusted such Materials, from Time to Time, as Occasion shall require, to demand Leave of Entrance and enter at all reasonable Hours in the Daytime into the Shops or Outhouses of any Person employed to work up or manufacture, either by himself or by any other Person under him, any of the said Materials, or other Place or Places where the Work shall be carried on, and there to inspect the State and Condition of such Materials; and in case of Refusal or Neglect by any such Person or Persons so employed to permit such Entrance or Inspection, such Person shall, for so refusing to permit such Entrance or Inspection, forfeit any Sum not exceeding Twenty Shillings, as the Justices before whom he shall appear or be brought shall think proper, to be applied in the same Manner as is herein-after directed for the Disposal of any other Penalty under this Act: Provided always, that nothing herein contained shall authorize any such Owner or other Person as aforesaid to inspect any Frame, Tools, or Apparatus wherewith such Materials are worked up, in case such Frame, Tools, or Apparatus comprise any new Invention or Improvement not disclosed to the Public.

Owner of Materials may inspect Shops, &c. of Persons employed.

Penalty for Refusal.

Proviso.

XIV. And

Warrant may be granted by Justice on Complaint on Oath that Person is about to abscond.

XIV. And be it enacted, That if any Manufacturer, Agent, or any other Person in his Employment or Service, shall make Oath before a Justice of the Peace that any such Materials, Tools, or Apparatus as aforesaid have been intrusted to any Person as aforesaid, and that he has absconded, or that the Deponent has just Cause to suspect and does suspect that such Person is about to abscond, it shall be lawful for such Justice and he is hereby required to issue his Warrant to apprehend such Person, and bring him before him or some other Justice of the Peace; and if such Person shall have absconded, or shall not forthwith give Security, to be approved of by the said Justice, for the Return in a finished State of all such Materials so intrusted to him, within such Time as shall be then agreed on, such Justice shall by Warrant order any Constable, with his Assistants, to enter the House or other Premises of such Person, and take possession of all such Materials, Tools, or Apparatus so delivered to him as aforesaid, and to bring the same before the said Justice or any other Justice, when such Justice shall direct the same to be delivered to the Owner, or his Agent or Servant, or other Person duly authorized by him, and shall forthwith release the Person in Custody; but if all such Materials, Tools, or Apparatus shall not be found in the House or other Premises or the Possession of such Person, or shall not be produced before such Justice, such Person shall be deemed and taken to have purloined or embezzled such Materials, Tools, or Apparatus, or such Part thereof as shall not be found or produced, and shall be liable to any of the Punishments awarded for such Offence.

Receiving Goods in fictitious Name.

XV. And be it enacted, That if any Person shall receive any of the aforesaid Materials in a fictitious Name, in order to be manufactured, every such Person so offending, and being convicted thereof on the Oath of One or more credible Witness or Witnesses before Two or more Justices, shall for every such Offence be liable to the same Punishment as is herein-before directed in respect to Persons not fulfilling their Engagements.

Justice to issue Warrant to Constable to take possession of Property intrusted to any Person committed for Embezzlement, &c.

XVI. And be it enacted, That in Cases where any Person shall have been committed for purloining, embezzling, or fraudulently disposing of all or any Part of such Materials, Tools, or Apparatus as aforesaid, which may have been intrusted to him, or shall have been convicted of any other Offence against any of the Provisions of this Act, it shall be lawful for the Justice who so committed such Person, or for any Justice or Court before whom he has been convicted for that or any other Offence, and he or they is or are hereby required, to issue his or their Warrant authorizing a Constable, with his Assistants, to enter the House and Premises of such Person, and take possession of all such Property so intrusted as shall be found therein, and to bring the same before the said Justice or Court, when the said Justice or Court shall direct the same to be delivered to the Manufacturer, Agent, or Person duly authorized to receive the same.

Recovery of Wages and Sums due for Work.

XVII. And be it enacted, That if any Manufacturer or other Party employing, contracting, or engaging with any Person for any Work in any of the said Manufactures, or connected therewith or incidental thereto, or any Parts, Branches, or Processes thereof, and whether such Work is to be performed by the said Person, or by any Person or Persons to be employed by or under him, or by himself jointly with any Person or Persons to be employed with, by, or under him, and whether the Contract or Engagement shall be to work or be employed for such Manufacturer or other Party exclusively, or for all or Part of his Time, or for specific Work, or otherwise, and whether such Person is to be paid according to the Nature or Amount of the Work done, the Time employed, or any other Manner, shall not from Time to Time pay and discharge all such Sums of Money, Wages, and Hire as shall be justly due and payable to any such Person, it shall be lawful for a Justice of the Peace, on Complaint made for that Purpose, to summon such Manufacturer or other Party to appear at a Time and Place to be named in such Summons, and for any Two or more Justices of the Peace to hear and determine such Complaint, and order Payment of such Sum as shall appear to such Justices to be justly due and payable, together with Costs for Loss of Time and recovering the same, and in default of Payment immediately, or within such Period as the said Justices shall direct, the said Justices shall issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the said Manufacturer or other Party; and the said Justices, if they shall think fit, may also, by Order in Writing, authorize such Person to return his Work unfinished, in which Case such Person shall not be liable to the Penalties awarded by this Act.

Frames, &c. not belonging to Workmen not liable to be seized for Rent or Debt owing by Workmen.

XVIII. And be it enacted, That no Frame, Loom, or Machine, Materials, Tools, or Apparatus, which shall be intrusted for the Purpose of being used or worked in any of the said Manufactures, or any Work connected therewith or incidental thereto, or any Parts, Branches, or Processes thereof, whether such Frame, Loom, or Machine, Materials, Tools, or Apparatus, shall or shall not be rented or taken by the hire, shall at any Time or Times hereafter be distrained or seized, or be liable to be distrained or seized, for Rent or for Debt, or under any Execution or other Proceedings whatever, unless the Rent be due or the Money be owing by the Owner of the said Frame, Loom, or Machine, or of the said Materials or Tools or Apparatus aforesaid, or of any Part thereof respectively.

In case of Refusal to restore Frames, &c. unlawfully seized, Justice may order their Restoration.

XIX. And be it enacted, That if any Landlord or other Person, by virtue of any Distress Warrant, Execution, or other Proceedings for Rent in arrear, or Money due or alleged to be due by any Person whomsoever, shall distrain, seize, carry off, sell, or otherwise dispose of any Frame, Loom, or Machine, Materials, Tools, or Apparatus, belonging to any other Person, which shall have been intrusted for the Purpose of being used or worked in any of the said Manufactures, or any Work connected therewith or incidental thereto, or any Parts, Branches, or Processes thereof, and whether the same shall or shall not be rented or taken by the hire, or shall distrain, seize, carry off, sell, or otherwise dispose of any Materials as aforesaid, or any Tools or Apparatus as aforesaid, belonging to any other Person, and shall refuse to restore

restore Possession of all such Frames, Looms, Machines, Tools, or Apparatus to the Person owning, letting, or intrusting the same, when demanded by him, or some Person duly authorized by him, of the said Landlord or other Person, or the Person acting as Agent or Bailiff of such Landlord or other Person, it shall and may be lawful to and for any Justice of the Peace, upon Complaint on Oath before him, to summon the said Landlord or other Person to appear before any Two or more Justices of the Peace to answer the said Complaint, and on Proof of the said Offence the said Justices may thereupon order the Property so seized, distrained, carried off, or sold to be forthwith restored, and issue their Warrant to a Constable or Constables empowering him or them to seize the said Property wherever the same shall be found, and deliver Possession thereof to the Person owning, letting, or intrusting the same, and to levy, by Distress and Sale of the Goods of the said Landlord or other Person, the Costs of obtaining the said Order, and recovering and obtaining Possession of the said Property; and in case the said Property cannot be found and seized within a Time not exceeding Twenty-one Days, to be limited in the said Warrant, or in case the said Property shall have been damaged by the same having been distrained, seized, carried off, or sold, then it shall be lawful for such Two Justices, or any other Two Justices, on Proof thereof, (the said Landlord or other Person having been first summoned by a Justice,) to issue their Warrant to levy by Distress and Sale of the Goods and Chattels of such Landlord or other Person the full Value of the said Property, or the Amount of such Damage, as the Case may be, together with all Costs of recovering and levying the same.

Penalty for obliterating Mark on Machine.

XX. And be it enacted, That if any Person or Persons shall obliterate, efface, or alter the Owner's Name or Initials, or other distinguishing Mark, on any Frame, Loom, or Machine, or any Bar or Part thereof, or the Moulds thereof, without the Order or Authority of the Owner thereof, he shall, on Conviction thereof before Two Justices of the Peace, forfeit any such Sum not exceeding Two Pounds as such Two Justices shall order and direct, to be applied, in the first place, in paying the Costs of the Proceedings before such Justices, and the Surplus, if any, to the Party injured; and in default of Payment of such Forfeiture immediately on Conviction, or within such Period as the Justices so convicting shall direct, then the said Justices may, either immediately or at any Time after such Conviction, commit any Person so convicted to the Common Gaol or House of Correction, there to be imprisoned, with or without hard Labour, as to the said Justices shall seem meet, for any Term not exceeding Two Calendar Months, unless the Amount of such Forfeiture be sooner paid.

Power to award Costs to Defendant.

XXI. And for the Discouragement of frivolous and vexatious Informations and Prosecutions under this Act, be it enacted, That it shall be lawful for any Justices or Court of Petty Sessions before whom any Case under this Act is tried to award Costs to the Defendant, with an Allowance for his Loss of Time, in case of Acqnittal, to be paid by the Prosecutor; and also, if it shall appear to such Justices or Court that the Charge was made from a malicious, vexatious, or frivolous Motive, or in case the Party shall be charged with Embezzlement of Materials, by reason of any Deficiency in the Weight of the Materials which he shall have returned to the Person by whom they were intrusted to such Party, as compared with the Weight of the Materials received, and it shall be proved upon the hearing of the Case that such Materials were knowingly and fraudulently delivered to the Party charged whilst in a damp State, so that the apparent Weight thereof was thereby increased, it shall be lawful for such Justices or Court to award to the Defendant such further Sum of Money not exceeding Twenty Pounds as to such Justices or Court shall seem fit, to be paid by such Prosecutor as a Compensation for the Injury done; and in default of Payment such Costs and Allowances and Compensations may be levied by Distress and Sale of the Prosecutor's Goods.

Mode of proceeding to enforce Appearance.

XXII. And be it enacted, That where any Person shall be charged on Oath with any Offence punishable under this Act One Justice may receive the original Information and summon the Person charged to appear before any Two Justices of the Peace at a Time and Place to be named in such Summons, and if he shall not appear accordingly then the Justices there present may either proceed to hear and determine the Case *ex parte*, or any of such Justices may issue a Warrant for apprehending such Person, and bringing him to answer the said Charge before any Two or more Justices, or the Justice before whom the Charge shall be made may, if he shall so think fit, issue such Warrant in the first instance, without any previous Summons, and commit the Person so charged to Prison, in order that he may be brought forward for Trial (unless he enter into such Bail as may be required by such Justice for his Appearance at such Time and Place as shall be appointed); and the Justices before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case; and after Adjudication all and every the subsequent Proceedings to enforce Obedience thereto, whether respecting the Penalty, Forfeiture, Distress, Imprisonment, Costs, or other Matter or Thing relating thereto, may be enforced by any One of the said Justices.

Proceedings after Adjudication.

Service of Summons.

XXIII. And be it enacted, That every Summons to be granted by a Justice of the Peace under this Act may be served by delivering a Copy thereof to the Party, or by delivering such Copy at the Party's usual Place of Abode to some Inmate thereat, and explaining the Purport thereof to such Inmate.

Limitation of Time within which Proceedings to be commenced.

XXIV. Provided always, and be it enacted, That every Complaint and Prosecution under this Act shall be commenced within Six Calendar Months after the Commission of the Offence, unless the offending Party shall have in the meantime left the Country, and not otherwise; and that the Informer or Prosecutor, or any Person aiding, abetting, party or privy to the Commission of the Offence charged, shall in every Case under this Act be deemed a competent Witness to prove the Offence.

What Justices to have Jurisdiction.

XXV. And be it enacted, That in all Complaints, Warrants, Proceedings, or Prosecutions under this Act, any Justice or Justices of the Peace, and the Court of Petty Sessions for the County, City, Borough, or Place where the Offence shall be committed or the Complaint arise, or where the said Materials, Frame, Loom,

Loom, Machine, Tools, or Apparatus shall be given out or intrusted, lent or hired, or where the Manufacturer, Master, or Employer shall carry on his Trade or Business, shall have full Power and Authority to act, and to hear and determine such Complaint, Warrant, Proceeding, or Prosecution, and do all other Matters incident thereto: Provided always, that in all Convictions or Adjudications under this Act One at least of the convicting or adjudicating Justices shall be a Person not engaged in any Manufacture, Trade, Occupation, or Employment to which this Act extends, and shall not be the Father, Son, or Brother of any such Person.

Proviso.

Application of Penalties.

XXVI. And be it enacted, That all Forfeitures and Penalties upon Convictions under this Act not specially provided for shall be paid to the Sheriff or other proper Officer of the County, City, Borough, or Place in which such Conviction shall take place, for Her Majesty's Use, and shall be returned to the Court of Quarter Sessions, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.*

3 G. 4. c. 46.

Scale of Imprisonment on summary Convictions not specially provided for.

XXVII. And be it enacted, That in every Case of summary Conviction or Adjudication under this Act not specially provided for, where the Sum forfeited or adjudged to be paid, or which shall be imposed as a Penalty, by any Justice or Justices of the Peace, together with Costs, if awarded, which Costs such Justice or Justices is and are hereby authorized to award, if he or they shall think fit, in any Proceeding, Adjudication, or Conviction under this Act, shall not be paid immediately, or within such Period as the said Justice or Justices shall direct, or where a Warrant of Distress shall be issued, and no sufficient Distress shall be found, it shall be lawful for the convicting Justice or Justices to commit the Offender to the Common Gaol or House of Correction, there to be imprisoned, with or without hard Labour, according to the Discretion of the said Justice or Justices, for any Term not exceeding Two Calendar Months, when the Amount of the Sum forfeited or adjudged to be paid, or of the Penalty imposed, together with Costs, shall not exceed Five Pounds, and for any Term not exceeding Three Calendar Months in any other Case, unless the Amount and Costs be sooner paid.

Form of Conviction.

XXVIII. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up on Paper or Parchment in the following Form of Words, or in any other Form of Words to the like Effect, and with such Variations as the Case shall require; (that is to say,)

'} BE it remembered, That on the Day of in the Year of our
' to wit. } Lord at in the of *C. D.* is convicted
' before us, *A. B.* and *J. P.*, Two of Her Majesty's Justices of the Peace for the said for
' that he the said *C. D.* [*here specify the Offence, and the Time and Place where the same was committed, as the Case may be*], and we do adjudge that the said *C. D.* shall for the said Offence forfeit and pay
' [*here state the Penalty actually imposed, or the Penalty and also the Sum adjudged as the Value of the Articles or the Amount of the Injury, as the Case may be*], and also pay the Sum of for
' Costs [*if so ordered*]; and we direct that the Sum of shall be paid to *E. F.*, the Party
' aggrieved, on the Day of [instant *or* next ensuing], and that the Sum of
' shall, on the Day of [instant *or* next ensuing], be paid and applied according
' to the Direction of the Statute in such Case made and provided [*or, as the Case may be*], and that the
' Sum of for Costs shall be paid to the Complainant [*if so ordered*]. Given under our
' Hands and Seals, the Day and Year first above written.'

Appeal to Quarter Sessions in certain Cases.

XXIX. And be it enacted, That in all Cases of summary Conviction under this Act, where the Sum adjudged to be paid shall exceed Twenty Shillings, or the Imprisonment shall exceed One Calendar Month, any Person who shall think himself aggrieved by any such Conviction may appeal to the next Court of General or Quarter Sessions which shall be held for the County, City, Borough, or Place where such Conviction shall have been made, (such Person at the Time of such Conviction giving to the Justices so convicting, or to the Justice so presiding at the Court of Petty Sessions at which such Conviction shall take place, Notice in Writing of his Intention to appeal, and also entering into a Recognizance at the Time of such Notice, with Two sufficient Sureties, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall by the Court be awarded); and upon such Notice being given and such Recognizance being entered into the Justice or Justices before whom the same shall be entered into shall liberate such Person, if in Custody, and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs, to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal or the Confirmation of the Conviction the said Court shall order and adjudge the Offender to pay such Costs, if any, as shall be awarded, and shall, if necessary, issue Process for enforcing Payment of the same; and it shall be lawful for the said Court, or, on the Production of a Certificate under the Hand of the Clerk of the Peace for the said County, City, Borough, or Place, or his Deputy, for any Justice or Justices of the Peace for such County, City, Borough, or Place, either immediately or at any Time thereafter, to issue a Warrant of Distress and Sale, or a Warrant for the Apprehension and Commitment of such Offender for such Period of Time as, together with the Days during which such Person so convicted shall have been imprisoned, if any, previously to being discharged by reason of such Appeal, shall amount to the same Period or Term of Imprisonment for which such Person was adjudged to be imprisoned at the Time of Conviction, or to issue a Warrant of Distress and Sale, and if there be no sufficient Distress, a Warrant of Apprehension and Commitment, as the Case may require,

require, in like Manner, in all respects, as any Justice or Justices could or might have done in case no Notice of Appeal had been given.

Proceedings not to be quashed for Want of Form, or be removed by Certiorari.

XXX. And be it enacted, That no Order or Conviction, or Proceedings touching the same respectively, nor Adjudication made or Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record; and that no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that it is founded on a Conviction, and there be a good and valid Conviction to sustain the same; and that where any Distress shall be made for levying any Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Warrant, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser from the Beginning on account of any Irregularity afterwards committed by him, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage (if any) upon an Action on the Case.

Limitation of Actions against Persons acting in Execution of this Act.

General Issue.

Tender of Amends.

XXXI. And be it enacted, That for the Protection of Persons acting in the Execution of this Act all Actions and Prosecutions for Damage to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was or is charged to have been committed, and shall be commenced within Two Calendar Months after the Fact committed, and not otherwise, and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, or, in case of any Action of Replevin, may avow generally that the Goods and Chattels in question were taken under and by virtue of this Act, and may give this Act and the special Matter in Evidence at the Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, nor if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant or Avowant: Provided always, that in all such Actions of Damages the Plaintiff shall be bound to establish, not merely that Damages have been suffered by him, but that the same have been wilfully and maliciously caused by the Defendant or Avowant.

Offences committed before this Act.

XXXII. And be it enacted, That nothing in this Act contained shall extend to any Person for any Offence committed against the said herein-before recited Acts or any of them before the passing of this Act, but every such Offender shall and may be prosecuted and punished in the same Manner as if this Act had not been made.

This Act not to extend to Scotland or Ireland.

XXXIII. And be it enacted, That nothing in this Act contained shall extend to *Scotland* or *Ireland*, or be construed to extend to repeal any Act or Statute, or Part thereof, now in force, and not repealed by this Act.

To what Trades this Act shall extend.

XXXIV. And be it enacted, That this Act shall not extend or be construed to extend to any Manufacture, Trade, Occupation, or Employment, except only the Manufactures, Trades, Occupations, and Employments following; (that is to say,) the Manufacture of Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials in, on, or by the Stocking-frame, Warp Machine, or any other Machine employed in the Manufacture of Frame-work, knitted or looped Fabrics, and every Trade, Occupation, Operation, or Employment whatsoever connected with or incidental to the Manufacture of Stockings, Gloves, and other Articles of Hosiery.

Construction of Terms.

XXXV. And be it enacted, That in all Cases under this Act the Singular is to include the Plural, and the Masculine the Feminine; and in an Indictment or Information for Offences against the Property of Partners, Joint Stock Companies, or Trustees, it shall be sufficient to lay the Ownership in the Name of One Partner or Trustee and another or others; that the Words "Woollen, Worsted, Linen, Cotton, Flax, Mohair, or Silk Materials" shall be construed to extend to any of the said Materials mixed with each other or with any other Material or Materials; and that the Words "Manufacture" and "Work" shall extend to all Trades, Occupations, Operations, and Employments whatsoever connected with or incidental to the Manufacture of any of the said Materials, or any Parts, Branches, or Processes thereof, and likewise to such Materials, whether the same or any Part thereof be or be not in the whole or in part first wrought, made up, or manufactured or converted into merchantable Wares.

Commencement of Act.

XXXVI. And be it enacted, That this Act shall commence on the First Day of *August* One thousand eight hundred and forty-three.

Act may be amended, &c.

XXXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XLI.

An Act to continue to the First Day of *August* One thousand eight hundred and forty-four, and to the End of the then Session of Parliament, the Act to amend the Laws relating to Loan Societies. [1st *August* 1843.] 3&4 Vict. c. 110.

CAP. XLII.

An Act to amend an Act of the Nineteenth and Twentieth Years of King *George* the Third, for empowering Grand Juries in *Ireland* to present Bridges, and Tolls to be paid for passing the same, in certain Cases. [1st *August* 1843.]

19 & 20 G. 3. (I.) ‘WHEREAS by an Act passed in the Parliament of *Ireland* in the Nineteenth and Twentieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for empowering Grand Juries to present Bridges, and Tolls to be paid for passing the same, in certain Cases*, it was enacted, that from and after the First Day of *August* One thousand seven hundred and eighty every Grand Jury of any County or County of a City or County of a Town in *Ireland*, at any Assizes to be holden for the same, may authorize the building of Bridges, and authorize and approve of certain Tolls to be charged thereon, as therein mentioned; and it was thereby further enacted, that it should and might be lawful for the Grand Jury of the County in which such Bridge should be situated, or, if situated in Two Counties, then for the Grand Juries of the said Counties, to redeem the Tolls, and to present for the Amount of the Purchase Money thereof: And whereas it would tend to the Public Advantage if the Bridges upon which Toll is charged were open to the Public free from Tolls:’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Grand Jury or Grand Juries of any County and County of a City or Town in *Ireland*, and they are hereby authorized and empowered, to agree with the Companies, Commissioners, Corporations, or Persons possessed of and interested in, and having any Lien or Incumbrance on, the Tolls payable on any Bridge upon which Toll is charged, situate in such Counties or Cities or Towns, or within Five Miles thereof, for the Purchase thereof, and the said Companies, Commissioners, Corporations, and Persons are hereby authorized to agree with the said Grand Jury or Grand Juries for the Sale thereof; and the said Grand Jury or Grand Juries shall take an Average of the Sums received for Tolls on such Bridge for Three Years immediately preceding such Agreement, and, according to such Average, shall estimate the Sum which shall be paid for the Purchase of such Tolls, and shall, with the Consent in Writing of the Persons interested in such Tolls, apportion and distribute the Sum which shall be paid for the Purchase thereof to and among the several Persons interested therein; and it shall and may be lawful for the said Grand Jury or Juries to raise, by Presentment on such County or Counties, or on any Barony, Half Barony, or Baronies thereof, or City or Town, such Sum or Sums of Money as may be sufficient for the Purchase of such Tolls, and payable in such Instalments and Proportions, and at such Times, as shall be agreed upon by such Grand Jury or Juries, and the Owners of such Tolls, and Persons having Charges thereon, respectively, and that upon such Presentments being made the said Toll shall cease, and the Passage of such Bridge shall be open and free to all Cattle, Carriages, and Persons whatsoever: Provided always, that any such Presentment shall at the First Assizes be considered only as an Application to be certified under an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, and shall be subject to such and the like Regulations in all respects as certified Applications under the Provisions of that Act, and shall not be binding on any Grand Jury unless it shall be approved by the Presentment Sessions and succeeding Grand Jury.

Power to purchase the Tolls of Bridges and open them to the Public free.

Proviso.

6 & 7 W. 4. c. 116.

Extent of Act. II. And be it enacted, That this Act shall extend only to that Part of the United Kingdom called *Ireland*.

Act may be amended, &c. III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XLIII.

An Act to suspend until the Thirty-first Day of *August* One thousand eight hundred and forty-four the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [10th *August* 1843.]

[*This Act is the same, except as to Dates, as 5 & 6 Vict. c. 72.*]

CAP. XLIV.

An Act to amend the Acts for carrying on Public Works in *Ireland*. [10th *August* 1843.]

1 & 2 W. 4. c. 33. ‘WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland: And whereas another Act

6 & 7 W. 4. c. 108. was passed in the Seventh Year of the same Reign, intituled *An Act to amend an Act passed in the First and Second Years of His present Majesty, “for the Extension and Promotion of Public Works in* Ireland:” And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled

7 W. 4. & 1 Vict. c. 21. *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland: And whereas another Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to*

1 & 2 Vict. c. 88. *authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor; and to amend the Acts relating thereto:* And whereas another Act was passed in the Third Year

2 & 3 Vict. c. 50. of the Reign of Her present Majesty, intituled *An Act to extend and amend the Provisions of the Acts for the Extension and Promotion of Public Works in* Ireland; *and for the Recovery of Public Monies advanced*

'*advanced for the Use of Counties, Parishes, and other Districts in* Ireland, *on the Faith of Grand Jury* '*Presentments and Parochial Assessments:* And whereas great Benefits have been derived from Loans 'under the Regulation of the first-recited Act, and the several Acts for amending the same, and it is 'expedient that such Loans, together with the several Powers of the Commissioners of Public Works in '*Ireland*, should be continued: And whereas it is expedient to discontinue all further Issues of Exchequer 'Bills made out under the first-recited Act, or any of the Acts amending the same, and to put an end to 'all Operations with regard to such Exchequer Bills required by the said Act, except such as may be 'necessary for paying off the outstanding Bills, and for applying the Repayments on account of Loans 'made with such Exchequer Bills to make good the Sums issued from the Consolidated Fund to pay the 'Interest and Principal on those Bills: And whereas by an Act passed in the Fifth Year of the Reign of 'Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund* 5 & 6 Vict. c. 9. '*to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor; and to* '*amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, the Commissioners of Her 'Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are 'empowered, by Warrant under the Hands of any Three or more of them, for the Purpose of the Advances 'or Loans therein referred to, to charge the Consolidated Fund of the United Kingdom of *Great Britain* 'and *Ireland*, and to direct the Issue or to be paid thereout to the Account of the Commissioners for the 'Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three 'hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fifth Day of '*April* One thousand eight hundred and forty-two, by quarterly Instalments or Issues, not exceeding 'Ninety thousand Pounds *per* Quarter, the same to become due on the Days and at the Times in the said 'Act particularly mentioned: And whereas it is expedient to make Advances of Money out of the Consoli-'dated Fund for the Purposes of Loans toward Public Works in *Ireland*, instead of the Issues of Exchequer 'Bills hitherto adopted, which are found inconvenient: And whereas the Sums annually receivable in 'Repayment of existing Loans heretofore made by the Commissioners of Public Works in *Ireland* amount, 'and will amount for some Years to come, to a Sum which would be sufficient to furnish to a considerable 'Extent Means for making the requisite Advances;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after such Period as may be in that Behalf determined upon by the Commissioners of Her Majesty's Treasury all further Issues of Exchequer Bills under the said first-recited Act, or any of the Acts amending the same, shall be discontinued; and as soon as Notice of such Determination shall have been given to the Commissioners appointed or to be appointed for the Execution of the said first-recited Act they shall cause the same to be published in the *Dublin Gazette*, but this Notice shall not be construed to be a Notice within the Provisions of the first-recited Act for terminating the Powers of the Commissioners appointed or to be appointed for the Execution thereof; and, notwithstanding the Discontinuance of further Issues of Exchequer Bills, the said Commissioners of Her Majesty's Treasury shall have all the Powers by any of the said Acts given and which may be necessary for paying off such of the Exchequer Bills issued under the first-recited Act, or any of the Acts amending the same, which may have been prepared or be outstanding at the Time of such Discontinuance of the Issue of such Exchequer Bills as aforesaid, and also such Powers as may be necessary for applying the Repayment of Loans theretofore made with such Exchequer Bills to make good the several Sums which may then have been or thereafter may be issued from the Consolidated Fund for the Purpose of paying off the Interest and Principal due on such Exchequer Bills.

Commissioners of the Treasury may discontinue the Issue of Exchequer Bills.

II. And be it enacted, That as soon as such Notice shall have been given to the said Commissioners of Public Works they, or some Person employed by them for that Purpose, shall wind up and close the Accounts of all outstanding Loans or Advances under the Authority of any of the said Acts, up to the Day on which such Discontinuance of Exchequer Bills may take place.

On such Discontinuance the Commissioners to wind up and close Accounts.

III. And be it enacted, That all Sums of Money which shall be repaid on account of the Loans or Advances made or to be made under the Authority of any of the said Acts by means of Exchequer Bills, with the Interest accruing due thereon, shall be recovered and received by the said Commissioners of Public Works in like Manner as heretofore, and shall be by their Direction paid into the Bank of *Ireland* to the Credit of the Account for Loans of the said Commissioners, from which Account the Sums so paid shall be from Time to Time transferred to the Account of Her Majesty's Exchequer, and shall be made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, for the Purpose of reimbursing to the said Consolidated Fund the several Advances previously made for the Discharge of Exchequer Bills issued for Loans by the said Commissioners of Public Works, and the Interest thereon, and of meeting the Charges to be made thereon for Interest and Principal on account of Bills still outstanding, until the same shall be paid.

Repayments to be carried to the Account of the Consolidated Fund.

IV. And be it enacted, That the Commissioners of Public Works for the Time being under the said first-recited Act shall be Commissioners for the Execution of this Act.

Commissioners for this Act.

V. And be it enacted, That the said Commissioners of Her Majesty's Treasury, by Warrant under the Hands of any Three or more of them, may direct from Time to Time, that out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum*, which by the said Act of the Fifth Year of the Reign of Her said present Majesty they are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt, during the Term of Five Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-two, by quarterly Instalments or Issues not exceeding

A Sum not exceeding 15,000*l.* per Quarter to be applied for Public Works in Ireland.

Ninety thousand Pounds *per* Quarter, as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt, during the Remainder of the said Term of Five Years, a Sum not exceeding Fifteen thousand Pounds *per* Quarter, to be at the Disposal of the said Commissioners of Public Works, as herein-after mentioned, such quarterly Instalments or Issues to become due on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, the first Instalment thereof to become due and payable on the first of the said quarterly Days of Payment which shall happen next after the passing of this Act.

A separate Account to be opened at the Bank of England.

VI. And be it enacted, That for the Purpose of receiving the said quarterly Instalments the said Commissioners for the Reduction of the National Debt shall cause a separate Account to be opened with them at the Bank of *England*, under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund for *Ireland*," which Account the Governor and Company of the Bank of *England* shall open in their Books accordingly; and there shall be provided and kept in the Office of the said Commissioners for the Reduction of the National Debt a Book or Books, in which all the Monies transferred to the said last-mentioned Account by virtue of this Act shall be kept apart from all other Monies, and such Monies shall be by the same Commissioners held, subject to the Disposal of the said Commissioners of Public Works, for the Purposes of the said first-recited Act, and the other Acts amending the same, and of this Act.

Commissioners to receive Applications and make Loans.

VII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works to receive Application for any Loan or Loans, and, with the Approval of the Commissioners of Her Majesty's Treasury, to make such Loans, upon such and the like Securities, and for such and the like Purposes, and upon such and the like Terms, as are specified by the said recited Acts for the Extension and Promotion of Public Works in *Ireland*, or any of them, and as may be authorized by the Commissioners of Her Majesty's Treasury.

Commissioners of Public Works in Ireland to certify Loans granted by them.

Upon Production of such Certificate to the proper Officer an Order to be endorsed thereon for Payment of the Sum granted.

Proviso.

VIII. And be it enacted, That when the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being; and in every such Certificate the Loan in part of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General or Assistant Comptroller, or Chief Clerk, acting under the last-named Commissioners, shall upon the Back of such Certificate endorse and sign an Order for Payment of the Sum mentioned in such Certificate to the Governor and Company of the Bank of *England*, to be by them placed to the Account of the Governor and Company of the Bank of *Ireland*, for the separate Account and Credit of the Paymaster of Civil Services in *Ireland*, on account of the Public Works Loan Fund for *Ireland*, to be by him paid over on the Warrants of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate, under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Names of the said Commissioners for the Reduction of the National Debt, subject to the Disposal of the said Commissioners of Public Works.

Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to the Cashiers of the Bank of England.

IX. And be it enacted, That every such Order of the Officer of the said Commissioners for the Reduction of the National Debt, before the issuing thereof, shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England;* and such Cashiers or one of them shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of *England;* and the Signature of One of the Cashiers of the said Governor and Company of the Bank of *England* shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

Commissioners for Reduction of National Debt to furnish an annual Account for Audit.

X. And be it enacted, That the Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund for *Ireland* as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts.

Bank of Ireland to open an Account with Paymaster of Civil Services, of Repayments.

XI. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall open an Account with the Paymaster of the Civil Services of *Ireland*, under the Title of "The Paymaster of the Civil Services, on account of the Repayment of Loans for Public Works;" and Monies which shall from Time to Time be repaid in respect of Loans made under this Act, or in respect of the Interest thereof, shall be carried to the Credit of this Account.

Appropriation and Entry of Repayments.

XII. And be it enacted, That as soon as any Sum of Money shall have been so lodged to the Credit of the said Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall, upon a Notification thereof, cause to be made out and delivered to the said Paymaster of Civil Services a Statement of the proper Appropriation of such Payment, whether for account of Interest or Principal, or how much for each respectively, upon which the said Paymaster of Civil Services shall cause to be prepared accordingly the proper Receipt or Voucher, and send the same to the said Commissioners of Public Works, who shall thereupon cause the Sum or Sums therein mentioned to be entered on the Books of the said Commissioners, to the Credit

of

of the Loan on account of which such Payment shall have been made; and such Receipt, when so entered, shall be delivered to the Party or Person on whose Account such Payment shall have been so made; and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

Receipt of Paymaster to be a Discharge.

XIII. And be it enacted, That every Sum of Money which shall be paid into the Bank of *Ireland* to the Account of the Paymaster of Civil Services, on account of the Repayment of Loans for Public Works under this Act, shall from Time to Time, immediately on such Payments being made, be transferred by the Governor and Company of the Bank of *Ireland* to the Account kept by the Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund.

XIV. And be it enacted, That all the Enactments contained in the said recited Acts relating to Public Works in *Ireland*, or any of them, in relation to any Advances of Exchequer Bills or Money made or to be made under the said recited Acts or any of them, or for the Recovery or Repayment of such Advances, shall, except as is herein otherwise provided, extend to all Loans of Money to be made under the Authority of this Act, and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury, or the said Commissioners of Public Works, or their Secretary for the Time being, or any other Persons or Bodies Corporate, under the Authority of the said recited Acts or this Act, or any of them, and the Recovery and Repayment of such Loans, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, except so far only as the same is amended or altered by any of the said Acts or by this Act.

Powers of recited Acts as to Advances to have same Force as if re-enacted.

XV. And be it enacted, That in case the said Commissioners of Public Works shall, under the Authority of any of the said recited Acts or this Act, make any Sale or other absolute Disposition of any Public Works, Interest, Property, or Effects comprised in any Mortgage, Assignment, or other Charge, already executed or hereafter to be executed, under the Provisions of any of the said recited Acts or this Act, it shall be lawful for them, with the Consent of the Commissioners of Her Majesty's Treasury, out of the clear Monies thereby produced, after Payment of the Expences of preparing for and making such Sale or other Disposition, so far as such clear Monies will extend, to deduct and detain all the Principal Monies for the Time being remaining due or secured upon such Mortgage, Assignment, or Charge, notwithstanding the whole of such Principal Money, or any Instalment thereof, may not, according to the Terms of such Mortgage, Assignment, or Charge, have become actually due and payable, together with all Interest (if any) for the Time being accrued due on such Principal Monies.

Commissioners may retain the whole of the Mortgage Debt or Charge out of Purchase, notwithstanding some of the Instalments for Principal may not have actually become due and payable at the Time of Sale.

XVI. ' And whereas sundry Loans made to the Trustees or Commissioners of several Turnpike Roads ' in *Ireland*, under an Act passed in the Forty-fifth Year of the Reign of King *George* the Third, intituled ' *An Act to amend the Laws for improving and keeping in repair the Post Roads in* Ireland, *and for* ' *rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious*, are still ' due and outstanding, and it is expedient that the Powers now by Law provided for recovering Loans ' made by the said Commissioners of Public Works, under the herein-before first-recited Act, to the ' Trustees or Commissioners of Turnpike Roads in *Ireland*, shall be extended to Loans made under the ' said recited Act of the Forty-fifth Year of the Reign of King *George* the Third;' be it enacted, That whenever any Interest or Instalment accrued due to Her Majesty's Exchequer on account of any Money borrowed under the Authority and for the Purpose of the last-mentioned Act shall be in arrear and unpaid by the Trustees or proper Officer of any Turnpike Road, it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall so think fit, beside and without prejudice to any other Remedy which may be by Law provided for the Recovery of the Monies so due and in arrear, by Warrant under the Hands of any Three or more of them, to empower the said Commissioners of Public Works to recover, in their Behalf, any Sum of Money accrued or accruing due for Principal or Interest on account of any such Loan, and thereupon the said Commissioners of Public Works shall have the like Powers, Privileges, and Remedies for the Purpose of compelling Payment of any such Loan or any Part thereof, or the Interest thereof, as the said Commissioners of Public Works now by Law have in respect of any Loan made to the Trustees or Commissioners of any Turnpike Road under the said recited Act of the Second Year of the Reign of His late Majesty, or any Act amending the same, or in respect of any Default in the Payment of such Loan or the Interest thereon; and that all the Clauses and Provisions therein contained, for the Repayment and Recovery of any such Loan or the Interest thereon, and for enabling the said Commissioners, in default thereof, to enter into Possession, and to receive any Rates, Rents, Tolls, Receipts, or Profits on the Credit whereof any Loan may have been made, shall extend to all Loans at any Time made to the Trustees or Commissioners of any Turnpike Road or Roads under the said recited Act of the Forty-fifth Year of the Reign of King *George* the Third, in respect whereof the said Commissioners of Her Majesty's Treasury shall think fit to make any such Warrant as aforesaid, as if such Clauses and Provisions had been contained in such last-mentioned Act, or as if such Loan had been made under the said recited Act of the Second Year of the Reign of His late Majesty, or any Act amending the same: Provided always, that nothing herein contained shall extend to deprive any Persons holding prior Mortgages, Assignments, or other Securities on such Turnpike Trusts of any Advantages which by reason of such Priority they might have in case this Act had not been passed.

Powers for recovering Loans to Trustees of Turnpike Roads extended to Loans under 45 G. 3. c. 43.

1 & 2 W. 4. c. 33.

XVII. ' And whereas by the said Act of the Second Year of the Reign of Her present Majesty it is ' enacted, that it should be lawful for the Commissioners of Her Majesty's Treasury to appropriate, out ' of the Sum of Five hundred thousand Pounds in Exchequer Bills authorized to be advanced under the ' Authority

21,000*l.* may be issued by way of Grant. 1 & 2 Vict. c. 88.

'Authority of the said Act, any Sum or Sums in Exchequer Bills, not exceeding Fifty thousand Pounds 'in the whole, for the Promotion and Extension of Public Works in *Ireland*, to be applied by the
2 & 3 Vict. c. 50. 'Commissioners appointed under the Authority of the said first-recited Act: And whereas by the said 'Act of the Third Year of the Reign of Her present Majesty, after reciting that the said Sum or 'Sums so authorized by the said Act of the Second Year of the Reign of Her Majesty to be appropriated 'for the Promotion and Extension of Public Works in *Ireland* should be made applicable to the Purposes 'of the Acts therein mentioned, it is enacted, that in case any such Appropriation should be or had 'been made it should be lawful to apply the Exchequer Bills so appropriated to the Purposes of all or 'any of the Acts therein recited, and to make Advances thereout accordingly, either by way of Loan or 'by way of Grant, or partly by way of Loan and partly by way of Grant, pursuant to the Provisions 'of the Acts therein recited and the said Act respectively: And whereas it was deemed expedient by 'the Commissioners of Her Majesty's Treasury, and was intended, that One Half of the said Sum of 'Fifty thousand Pounds should be applied in Loans, and One Half in Grants; but nevertheless the Sum 'of Forty-six thousand Pounds, Part thereof, has been inadvertently issued in the way of Loans, and 'only the remaining Four thousand Pounds in the way of Grants: And whereas it is expedient that the 'Sum of Twenty-one thousand Pounds should be repaid to the Fund, to be issued in the way of Grant;' be it therefore enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to order that out of such Monies as at or after the passing of this Act may be in the Exchequer, or as may be hereafter paid into the Bank of *England* to the Credit of Her Majesty's Exchequer, in Repayment of Loans made for Public Works in *Ireland*, any Sum or Sums of Money, not exceeding the Sum of Twenty-one thousand Pounds, may be set apart and appropriated for Grants by the said Commissioners of Public Works, with the Approval of the said Commissioners of Her Majesty's Treasury, in such and the same Manner as the said Sum of Twenty-one thousand Pounds might have been used and applied for Grants if the same had not been inadvertently applied for the Purposes of Loans.

Construction of certain Words in this Act.

XVIII. And be it enacted, That in this Act the Words "Commissioners of Her Majesty's Treasury" shall be construed to mean any Three or more of the Commissioners of Her Majesty's Treasury, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland;* and the Words "Commissioners of Public Works" shall mean any Two or more of the Commissioners appointed or to be appointed to execute the first-recited Act, for the Extension and Promotion of Public Works in *Ireland.*

Act may be amended, &c.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XLV.

An Act to continue, until the First Day of *January* One thousand eight hundred and forty-six, an
2 & 3 Vict. c. 37. Act for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury. [10th *August* 1843.]

CAP. XLVI.

An Act to continue until the First Day of *August* One thousand eight hundred and forty-four, and
1 & 2 Vict. c. 102. to the End of the then Session of Parliament, an Act for authorizing Her Majesty to carry into immediate Execution by Orders in Council any Treaties for the Suppression of the Slave Trade. [10th *August* 1843.]

CAP. XLVII.

An Act to continue until the First Day of *August* One thousand eight hundred and forty-four, and
4 & 5 Vict. c. 58. to the End of the then Session of Parliament, an Act for amending the Law for the Trial of controverted Elections. [10th *August* 1843.]

CAP. XLVIII.

An Act to continue, until the First Day of *October* One thousand eight hundred and forty-four,
3 & 4 Vict. c. 89. the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor. [10th *August* 1843.]

CAP. XLIX.

An Act to reduce the Duty on Spirits in *Ireland*, and to impose other countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between *Ireland*, *England*, and *Scotland* respectively. [10th *August* 1843.]

'WHEREAS an Act was passed in the last Session of Parliament, being in the Fifth Year of the
5 & 6 Vict. c. 15. 'Reign of Her Majesty, intituled *An Act to impose an additional Duty on Spirits, and to repeal 'the Allowance on Spirits made from Malt only in* Ireland: And whereas an Act was passed in the Sixth

'and

'and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to impose countervailing Duties of Excise on Mixtures, Compounds, Preparations, and Commodities made from or with Spirits removed from* Ireland *to* England *or* Scotland, *and from* Scotland *to* England, *and to grant countervailing Drawbacks on the Removal of the same; and to repeal the additional Duties of Excise on Licences to Retailers of Spirits in the United Kingdom; and to alter the Laws relating to Distillers and Retailers of Spirits:* And whereas another Act was passed in the said last Session of Parliament, being in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to repeal the present and impose and allow new countervailing Duties and Drawbacks of Excise on Mixtures and Preparations made with Spirits, when removed from or into* England, Scotland, *or* Ireland *respectively; and to suspend for a limited Time so much of an Act of the present Session as repeals the Allowance on Spirits made from Malt only in* Ireland: And whereas by the said first-recited Act an additional Duty of One Shilling was imposed on every Gallon of Spirits to be distilled, or which should be warehoused and taken out for Consumption in *Ireland:* And whereas it is expedient that the said additional Duty of One Shilling should cease and determine: And whereas, in consequence of such additional Duty of One Shilling on Spirits in *Ireland* being repealed, it will be necessary to impose and allow new countervailing Duties and Drawbacks of Excise on the Mixtures and Preparations made with Spirits enumerated in the said Acts of the Sixth and Seventh Years of His Majesty King *William* the Fourth and in the Fifth Year of the Reign of Her present Majesty, when removed from *Ireland* to *England* or *Scotland*, or from *England* or *Scotland* to *Ireland*, respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said additional Duty of One Shilling imposed by the above first-recited Act upon every Gallon of Spirits distilled or warehoused in *Ireland* shall, from and after the First Day of *August* One thousand eight hundred and forty-three, cease and determine, save and except as to any Arrear of the said Duty of One Shilling which shall have been charged or become due, or of any Penalty or Forfeiture which shall have been incurred, before the said First Day of *August* One thousand eight hundred and forty-three.

6 & 7 W. 4. c. 72.

5 & 6 Vict. c. 25.

After 1st Aug. 1843 the additional Duty of One Shilling per Gallon imposed by the first-recited Act on Spirits in Ireland to cease.

II. And be it enacted, That from and after the said First Day of *August* One thousand eight hundred and forty-three there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the several Mixtures, Compounds, Preparations, and Commodities mentioned and described in the Schedule to this Act, on the Removal of the same from *Ireland* to *England* or *Scotland* respectively, the several Sums of Money and Duties of Excise as they are respectively inserted, described, and set forth in the Schedule to this Act annexed; and that there shall be allowed and paid, on the Removal of such Mixtures, Compounds, Preparations, and Commodities from *England* or *Scotland* respectively to *Ireland*, the several Drawbacks of Excise also inserted, described, and set forth in the said Schedule to this Act, and the Duties and Drawbacks now payable on the Removal of the said Mixtures and Compounds, on the Removal of the same from *Ireland* to *England* and from *England* to *Ireland*, shall cease and determine.

New Duties and Drawbacks on the Removal of Mixtures and Compounds between Ireland and England and Scotland.

III. And be it enacted, That the Duties and Drawbacks granted by this Act shall be under the Management of the Commissioners of Excise, and shall be collected, paid, and accounted for as the Duties and Drawbacks imposed by the said thirdly herein-before recited Act are charged, raised, levied, collected, sued for, and paid under the said thirdly-recited Act, and of the general or special Provisions, Clauses, Enactments, Penalties, and Forfeitures contained in any Act or Acts relating to the Collection and Management of the Revenue of Excise.

Duties, &c. granted by this Act to be under the Management of the Commissioners of Excise, &c.

IV. And be it enacted, That the several Provisions of the said Act passed in the Sixth and Seventh Years of the Reign of His said late Majesty which prescribe or provide any Rules or Regulations or impose any Restrictions on the Removal of any of the said Mixtures, Compounds, Preparations, or Commodities from *Scotland* to *Ireland* or from *Ireland* to *Scotland*, and as limit or prescribe the Strength of any of the said Mixtures, Compounds, Preparations, or Commodities, or the Quantities of Spirits to be contained therein, when removed from *Scotland* to *Ireland* or from *Ireland* to *Scotland*, or as require the same when so removed to be accompanied with a Permit, which said Provisions were repealed by the said Act passed in the Fifth Year of the Reign of Her Majesty, shall from and after the said First Day of *August* One thousand eight hundred and forty-three be revived, and shall, notwithstanding such Repeal, continue in full Force as if the said Act of the Fifth Year of Her said Majesty had not been passed; and all the Provisions, Enactments, Pains, and Penalties so repealed and revived as aforesaid shall again be carried into effect between *Ireland* and *Scotland* respectively.

Provisions of 6 & 7 W. 4. c. 72. respecting Removal and Strength of Mixtures, &c. to be in force notwithstanding Repeal of same by 5 & 6 Vict. c. 25.

V. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be amended, &c.

SCHE-

SCHEDULE.

COUNTERVAILING DUTIES.

Articles enumerated.	From Ireland to England.	From Ireland to Scotland.
For every Gallon thereof removed:	£ s. d.	£ s. d.
Æther	0 12 11	0 2 6
Sweet Spirits of Nitre	0 7 9	0 1 6
Camphorated Spirits		
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients		
Compound Spirits of Lavender		
Spirits of Rosemary		
Spirits of Ammonia		
Salvolatile		
Friar's Balsam		
Compound Tincture of Benzoin		
Tincture of Assafœtida		
Tincture of Castor		
Tincture of Kino		
Tincture of Guaiacum		
Tincture of Myrrh		
Tincture of Ginger		
Spirit Varnishes		
Other Tinctures and Medicated Spirits	0 5 2	0 1 0
Sweets or Made Wines	0 0 7½	0 0 1½

COUNTERVAILING DRAWBACKS.

Articles enumerated.	From England to Ireland.	From Scotland to Ireland.
For every Gallon thereof removed:	£ s. d.	£ s. d.
Æther	0 12 11	0 2 6
Sweet Spirits of Nitre	0 7 9	0 1 6
Camphorated Spirits		
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients		
Compound Spirits of Lavender		
Spirits of Rosemary		
Spirits of Ammonia		
Salvolatile		
Friar's Balsam		
Compound Tincture of Benzoin		
Tincture of Assafœtida		
Tincture of Castor		
Tincture of Kino		
Tincture of Guaiacum		
Tincture of Myrrh		
Tincture of Ginger		
Spirit Varnishes		
Other Tinctures and Medicated Spirits	0 5 2	0 1 0
Sweets or Made Wines	0 0 7½	0 0 1½

CAP. L.

An Act for carrying into execution a Treaty signed at *London* for the Suppression of the Slave Trade, so far as the same relates to *Great Britain*, *Austria*, *Prussia*, and *Russia*.

[10th *August* 1843.]

'WHEREAS on the Twentieth Day of *December* in the Year of our Lord One thousand eight hundred and forty-one a Treaty was signed at *London*, between *Great Britain*, *Austria*, *France*, *Prussia*, and *Russia*, for the Suppression of the *African* Slave Trade, whereby it was agreed as follows:

'ARTICLE I.—Their Majesties the Emperor of *Austria* King of *Hungary* and *Bohemia*, the King of *Prussia*, and the Emperor of all the *Russias* engage to prohibit all Trade in Slaves, either by their respective Subjects or under their respective Flags, or by means of Capital belonging to their respective Subjects, and to declare such Traffic Piracy; their Majesties further declare, that any Vessel which may attempt to carry on the Slave Trade shall by that Fact alone lose all Right to the Protection of their Flag.

'ARTICLE II.—In order more completely to accomplish the Object of the present Treaty, the High Contracting Parties agree by common Consent that those of their Ships of War which shall be provided with special Warrants and Orders, prepared according to the Forms of the Annex (A.) of the present Treaty, may search every Merchant Vessel belonging to any one of the High Contracting Parties which shall on reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in the Traffic during the Voyage in which she shall have been met with by the said Cruisers; and that such Cruisers may detain and send or carry away such Vessels, in order that they may be brought to Trial in the Manner hereafter agreed upon.

'Nevertheless the above-mentioned Right of searching the Merchant Vessels of any one or other of the High Contracting Parties shall be exercised only by Ships of War whose Commanders shall have the Rank of Captain, or that of Lieutenant in the Royal or Imperial Navy, unless the Command shall by reason of Death or otherwise have devolved upon an Officer of inferior Rank; the Commander of such Ship of War shall be furnished with Warrants according to the Form annexed to the present Treaty, under Letter (A.)

'The said mutual Right of Search shall not be exercised within the *Mediterranean Sea*: Moreover the Space within which the Exercise of the said Right shall be confined shall be bounded on the North by the Thirty-second Parallel of North Latitude; on the West, by the Eastern Coast of *America*, from the Point where the Thirty-second Parallel of North Latitude strikes that Coast, down to the Forty-fifth Parallel of South Latitude; on the South, by the Forty-fifth Parallel of South Latitude, from the Point where that Parallel strikes the Eastern Coast of *America* to the Eightieth Degree of Longitude East from the Meridian of *Greenwich*; and on the East, by the same Degree of Longitude, from the Point where it is intersected by the Forty-fifth Parallel of South Latitude, up to the Coast of *India*.

'ARTICLE III.—Each of the High Contracting Parties which may choose to employ Cruisers for the Suppression of the Slave Trade, and to exercise the mutual Right of Search, reserves to itself to fix according to its own Convenience the Number of the Ships of War which shall be employed on the Service stipulated in the Second Article of the present Treaty, as well as the Stations on which the said Ships shall cruise.

'The Names of the Ships appointed for this Purpose and those of their Commanders shall be communicated by each of the High Contracting Parties to the others; and they shall reciprocally apprize each other every Time that a Cruiser shall be placed on a Station, or shall be recalled from thence, in order that the necessary Warrants may be delivered by the Governments authorizing the Search, and returned to those Governments by the Government which has received them when those Warrants shall no longer be necessary for the Execution of the present Treaty.

'ARTICLE IV.—Immediately after the Government which employs the Cruisers shall have notified to the Government which is to authorize the Search the Number and the Names of the Cruisers which it intends to employ, the Warrants authorizing the Search shall be made out according to the Form annexed to the present Treaty, under Letter (A.), and shall be delivered by the Government which authorizes the Search to the Government which employs the Cruiser.

'In no Case shall the mutual Right of Search be exercised upon the Ships of War of the High Contracting Parties.

'The High Contracting Parties shall agree upon a particular Signal to be used exclusively by those Cruisers which shall be invested with the Right of Search.

'ARTICLE V.—The Cruisers of the High Contracting Parties authorized to exercise the Right of Search and Detention in execution of the present Treaty, shall conform themselves strictly to the Instructions annexed to the said Treaty, under Letter (B.), in all that relates to the Formalities of the Search and of the Detention, as well as to the Measures to be taken in order that the Vessels suspected of having been employed in the Traffic may be delivered over to the competent Tribunals.

'The High Contracting Parties reserve to themselves the Right of making in these Instructions, by common Consent, such Alterations as Circumstances may render necessary.

'The Cruisers of the High Contracting Parties shall mutually afford to each other Assistance in all Cases when it may be useful that they should act in concert.

'ARTICLE VI.—When a Merchant Vessel sailing under the Flag of One of the High Contracting 'Parties shall have been detained by a Cruiser of the other duly authorized to that Effect conform- 'ably to the Provisions of the present Treaty, such Merchant Vessel, as well as the Master, the 'Crew, the Cargo, and the Slaves who may be on board, shall be brought into such Place as the 'High Contracting Parties shall have respectively designated for that Purpose, and they shall be 'delivered over to the Authorities appointed with that View by the Government within whose 'Possessions such Place is situated. in order that Proceedings may be had with respect to them before 'the competent Tribunals in the Manner hereafter specified.

'When the Commander of the Cruiser shall not think fit to undertake himself the bringing in and 'the Delivery up of the detained Vessel, he shall intrust that Duty to an Officer of the Rank of 'Lieutenant in the Royal or Imperial Navy, or at least to the Officer who shall at the Time be the 'Third in Authority on board the detaining Ship.

'ARTICLE VII.—If the Commander of a Cruiser of One of the High Contracting Parties should 'have Reason to suspect that a Merchant Vessel sailing under the Convoy of or in company with a 'Ship of War of One of the other Contracting Parties has been engaged in the Slave Trade, or has 'been fitted out for that Trade, he shall make known his Suspicions to the Commander of the Ship 'of War, who shall proceed alone to search the suspected Vessel; and in case the last-mentioned 'Commander should ascertain that the Suspicion is well founded, he shall cause the Vessel, as well 'as the Master, the Crew, the Cargo, and the Slaves who may be on board, to be taken into a Port 'belonging to the Nation of the detained Vessel, to be there proceeded against before the competent 'Tribunals, in the Manner hereafter directed.

'ARTICLE VIII.—As soon as a Merchant Vessel detained and sent in for Adjudication shall arrive 'at the Port to which she is to be carried, in conformity with Annex (B.) to the present Treaty, 'the Commander of the Cruiser which shall have detained her, or the Officer appointed to bring her 'in, shall deliver to the Authorities appointed for that Purpose a Copy, signed by himself, of all the 'Lists, Declarations, and other Documents specified in the Instructions annexed to the present 'Treaty, under Letter (B.); and the said Authorities shall proceed in consequence to the Search 'of the detained Vessel and of her Cargo, as also to an Inspection of her Crew, and of the Slaves 'who may be on board, after having previously given Notice of the Time of such Search and 'Inspection to the Commander of the Cruiser, or to the Officer who shall have brought in the 'Vessel, in order that he, or some Person whom he may appoint to represent him, may be present 'thereat.

'A Minute of these Proceedings shall be drawn up in Duplicate, which shall be signed by the 'Persons who shall have taken part in, or who shall have been present at the same; and one of 'those Documents shall be delivered to the Commander of the Cruiser, or to the Officer appointed by 'him to bring in the detained Vessel.

'ARTICLE IX.—Every Merchant Vessel of any one or other of the Five Nations, which shall be 'searched and detained in virtue of the Provisions of the present Treaty shall, unless Proof, be given 'to the contrary, be deemed to have been engaged in the Slave Trade, or to have been fitted out for 'that Traffic, if in the Fitting, in the Equipment, or on board the said Vessel, during the Voyage 'in which she was detained, there shall be found to have been One of the Articles herein-after 'specified; (that is to say,)

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulkheads in the Hold or on Deck in greater Number than are 'necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Plank fitted for being laid down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consump- 'tion of the Crew of such Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Receptacles for holding 'Liquid, unless the Master shall produce a Certificate from the Custom House at the Place from 'which he cleared Outwards, stating that sufficient Security had been given by the Owners of 'such Vessel that such extra Number of Casks or of other Receptacles should only be used to hold 'Palm Oil, or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of such Merchant Vessel.

'Eighthly,—A Boiler or other cooking Apparatus of an unusual Kind, and larger, or capable of 'being made larger, than requisite for the Use of the Crew of such Merchant Vessel; or more 'than One Boiler or other cooking Apparatus of the ordinary Size.

'Ninthly,—An extraordinary Quantity of Rice, of the Flour of Brazil, Manioc or Cassada, 'commonly called Farina, or of Maize, or of Indian Corn, or of any other Article of Food whatever, 'beyond the probable Wants of the Crew; unless such Quantity of Rice, Farina, Maize, Indian 'Corn, or any other Article of Food should be entered on the Manifest as forming Part of the 'Trading Cargo of the Vessel.

'Tenthly,

'Tenthly,—A Quantity of Mats or Matting greater than is necessary for the Use of such 'Merchant Vessel, unless such Mats or Matting be entered on the Manifest as forming Part of the 'Cargo.

'If it is established that One or more of the Articles above specified are on board, or have been on 'board during the Voyage in which the Vessel was captured, that Fact shall be considered as *primâ* '*facie* Evidence that the Vessel was employed in the Traffic; she shall in consequence be condemned 'and declared lawful Prize, unless the Master or the Owners shall furnish clear and incontrovertible 'Evidence, proving to the Satisfaction of the Tribunal that at the Time of her Detention or Capture 'the Vessel was employed in a lawful Undertaking, and that such of the different Articles above 'specified as were found on board at the Time of Detention, or which might have been embarked 'during the Voyage on which she was engaged when she was captured, were indispensable for the 'Accomplishment of the lawful Object of her Voyage.

'ARTICLE X.—Proceedings shall be immediately taken against the Vessel detained as above stated, 'her Master, her Crew, and her Cargo, before the competent Tribunals of the Country to which she 'belongs, and they shall be tried and adjudged according to the established Forms and Laws in force 'in that Country; and if it results from the Proceedings that the said Vessel was employed in the 'Slave Trade, or fitted out for that Traffic, the Vessel, her Fittings, and her Cargo of Merchandize 'shall be confiscated, and the Master, the Crew, and their Accomplices shall be dealt with conformably 'to the Laws by which they shall have been tried.

'In case of Confiscation, the Proceeds of the Sale of the aforesaid Vessel shall, within the Space 'of Six Months, reckoning from the Date of the Sale, be placed at the Disposal of the Government 'of the Country to which the Ship which made the Capture belongs, in order to be employed in 'conformity with the Laws of that Country.

'ARTICLE XI.—If any One of the Articles specified in Article IX. of the present Treaty is found 'on board a Merchant Vessel, or if it is proved to have been on board of her during the Voyage in 'which she was captured, no Compensation for Losses, Damages, or Expences consequent upon the 'Detention of such Vessel shall in any Case be granted either to the Master or to the Owner, 'or to any other Person interested in the Equipment or in the Lading, even though a Sentence of 'Condemnation should not have been pronounced against the Vessel, as a Consequence of her 'Detention.

'ARTICLE XII.—In all Cases in which a Vessel shall have been detained in conformity with the 'present Treaty as having been employed in the Slave Trade, or fitted out for that Traffic, and 'shall in consequence have been tried and confiscated, the Government of the Cruiser which shall 'have made the Capture, or the Government whose Tribunal shall have condemned the Vessel, may 'purchase the condemned Vessel for the Service of its Royal Navy, at the Price fixed by a competent 'Person selected for that Purpose by the said Tribunal, the Government whose Cruiser shall have 'made the Capture shall have a Right of Preference in the Purchase of the Vessel; but if the 'condemned Vessel shall not be purchased in the Manner above pointed out, she shall be wholly 'broken up immediately after the Sentence of Confiscation, and sold in separate Portions after having 'been broken up.

'ARTICLE XIII.—When by the Sentence of the competent Tribunal it shall have been ascertained 'that a Merchant Vessel detained in virtue of the present Treaty was not engaged in the Slave 'Trade, and was not fitted out for that Traffic, she shall be restored to the lawful Owner or Owners; 'and if in the course of the Proceedings it should have been proved that the Vessel was searched 'and detained illegally or without sufficient Cause of Suspicion, or that the Search and Detention 'were attended with Abuse or Vexation, the Commander of the Cruiser, or the Officer who shall have 'boarded the said Vessel, or the Officer who shall have been intrusted with bringing her in, and 'under whose Authority, according to the Nature of the Case, the Abuse or Vexation shall have 'occurred, shall be liable in Costs and Damages to the Master and the Owners of the Vessel and 'of the Cargo.

'These Costs and Damages may be awarded by the Tribunal before which the Proceedings 'against the detained Vessel, her Master, Crew, and Cargo, shall have been instituted; and the 'Government of the Country to which the Officer who shall have given occasion for such Award 'shall belong shall pay the Amount of the said Costs and Damages within the Period of Six Months 'from the Date of the Sentence, when the Sentence shall have been pronounced by a Tribunal sitting 'in *Europe*, and within the Period of One Year when the Trial shall have taken place out of *Europe*.

'ARTICLE XIV.—When in the Search or Detention of a Merchant Vessel effected in virtue of 'the present Treaty any Abuse or Vexation shall have been committed, and when the Vessel shall 'not have been delivered over to the Jurisdiction of her own Nation, the Master shall make a 'Declaration upon Oath of the Abuses or Vexations of which he shall have to complain, as well as 'of the Costs and Damages to which he shall lay claim; and such Declaration shall be made by 'him before the competent Authorities of the first Port of his own Country at which he shall arrive, 'or before the Consular Agent of his own Nation at a Foreign Port, if the Vessel shall in the first 'instance touch at a Foreign Port where there is such an Agent.

'This Declaration shall be verified by means of an Examination upon Oath of the principal 'Persons amongst the Crew or the Passengers who shall have witnessed the Search or Detention; 'and a formal Statement of the whole shall be drawn up, Two Copies whereof shall be delivered to

'the Master, who shall forward One of them to his Government in support of his Claim for Costs 'and Damages.

'It is understood, that if any Circumstances beyond Control shall prevent the Master from making 'his Declaration, it may be made by the Owner of the Vessel, or by any other Person interested in 'the Equipment or in the Lading of the Vessel.

'On a Copy of the formal Statement above mentioned being officially transmitted to it, the 'Government of the Country to which the Officer to whom the Abuses or Vexations shall be imputed 'shall belong shall forthwith institute an Inquiry; and if the Validity of the Complaint shall be 'ascertained that Government shall cause to be paid to the Master or the Owner, or to any other 'Person interested in the Equipment or Lading of the molested Vessel, the Amount of Costs and 'Damages which shall be due to him.

'ARTICLE XV.—The High Contracting Parties engage reciprocally to communicate to each other, 'when asked to do so, and without Expence, Copies of the Proceedings instituted, and of the 'Judgments given, relative to Vessels searched or detained in execution of the Provisions of this 'Treaty.

'ARTICLE XVI.—The High Contracting Parties agree to ensure the immediate Freedom of all 'the Slaves who shall be found on board Vessels detained and condemned in virtue of the Stipulations 'of the present Treaty.

'ARTICLE XVII.—The High Contracting Parties agree to invite the Maritime Powers of *Europe* 'which have not yet concluded Treaties for the Abolition of the Slave Trade to accede to the present 'Treaty.

'ARTICLE XVIII.—The Acts or Instruments annexed to the present Treaty, and which it is 'mutually agreed to consider as forming an integral Part thereof, are the following:

'(A.) Forms of Warrants of Authorization, and of Orders for the Guidance of the Cruisers of 'each Nation in the Searches and Detentions to be made in virtue of the present Treaty.

'(B.) Instructions for the Cruisers of the Naval Forces employed in virtue of the present Treaty 'for the Suppression of the Slave Trade.

'ARTICLE XIX.—The present Treaty, consisting of Nineteen Articles, shall be ratified, and the 'Ratifications thereof shall be exchanged at *London* at the Expiration of Two Months from this 'Date, or sooner if possible.

'In witness whereof the respective Plenipotentiaries have signed the present Treaty, in *English* 'and *French*, and have thereunto affixed the Seals of their Arms.

'Done at *London*, the Twentieth Day of *December* in the Year of our Lord One thousand eight 'hundred and forty-one.

'(L.S.) *Aberdeen.*
'(L.S.) *Koller.*
'(L.S.) *Ste Aulaire.*
'(L.S.) *Schleinitz.*
'(L.S.) *Brunnow.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN, AUSTRIA, FRANCE, PRUSSIA, and RUSSIA for the SUP-'PRESSION of the AFRICAN SLAVE TRADE; signed at *London*, the Twentieth Day of *December* in 'the Year One thousand eight hundred and forty-one.

'FORM I.—*Warrants in virtue of which a Cruiser of one of the High Contracting Parties to this 'Treaty may visit and detain a Merchant Vessel belonging to or bearing the Flag of another 'of the High Contracting Parties, and suspected of being engaged in the Slave Trade, or of 'being fitted out for that Traffic.*

'Whereas by a Treaty concluded between *Great Britain*, *Austria*, *France*, *Prussia*, and *Russia*, 'signed at *London* on the Twentieth Day of *December* One thousand eight hundred and forty-one, 'for the total Suppression of the *African* Slave Trade, it was stipulated that certain Cruisers belonging 'to the said Countries respectively should be instructed to visit and detain, within particular Limits, 'Merchant Vessels of the other Contracting Parties engaged in the Traffic in Slaves, or suspected of 'being fitted out for that Traffic: And whereas the Government of has thought 'fit that the Vessel you command shall be one of the Cruisers furnished with 'the said special Instructions, you will accordingly receive Instructions from the said Government 'for your Guidance on the said Service; you are therefore authorized by virtue of those Instructions 'and of the present Warrant to visit Merchant Vessels under the Flag suspected of 'being engaged in the Traffic in Slaves within the Limits set forth in the Second Article of the said 'Treaty, and to deal with such Vessels as shall have engaged in the Slave Trade, or shall be suspected 'of being fitted out for that Traffic, as pointed out in the said Treaty and in the Instructions 'thereunto annexed.

'Given under our Hands and the Seal of the Office of the 'Day of

'To the Commander of the

'FORM

'FORM II. — *Orders for the Guidance of the Commander of the Cruiser of one of the High Contracting Parties in visiting and detaining a Merchant Vessel belonging to or bearing the Flag of another of the High Contracting Parties.*

'Whereas by a Treaty concluded between *Great Britain, Austria, France, Prussia,* and *Russia,* signed at *London* on the Twentieth of *December* One thousand eight hundred and forty-one, for the total Suppression of the *African* Slave Trade, it was stipulated that certain Cruisers belonging to the said Countries respectively shall be authorized, under special Instructions therein mentioned, to visit and detain, within particular Limits, Merchant Vessels of the other Contracting Parties engaged in the Slave Trade, or suspected of being fitted out for that Traffic: And whereas we think fit that the Vessel you command shall be one of the Cruisers furnished with the said special Instructions; we herewith transmit to you a Copy of the said Treaty of the Twentieth of *December,* and of the Instructions thereunto annexed, herein-before mentioned; and you are accordingly authorized, by virtue of this present Order and of the accompanying Warrant from the Government of to visit, within the Limits set forth in the Second Article of the said Treaty, Merchant Vessels under the Flag suspected of being engaged in the Slave Trade, and to deal with such Vessels as shall have engaged in that Traffic, or shall be suspected of being fitted out for that Traffic in the Manner pointed out in the said Treaty, Warrant, and Instructions; and we charge and require you to conform most strictly to all the Provisions and Stipulations contained therein, taking care to exercise the Authority so conferred upon you in the mildest Manner, and with every Attention which is due between allied and friendly Nations, and to co-operate cordially with the Commanders of any Vessels of War employed in the same Service.

'Given under our Hands and the Seal of the Office of the Day of

'To the Commander of the

'These Forms of Warrants and Orders shall be annexed to the Treaty signed this Day between *Great Britain, Austria, France, Prussia,* and *Russia* for the Suppression of the *African* Slave Trade, and shall be considered as an integral Part of that Treaty.

'In witness whereof the Plenipotentiaries of the High Contracting Parties have signed this Annex, and have thereunto affixed the Seal of their Arms.

'Done at *London,* the Twentieth Day of *December* in the Year of our Lord One thousand eight hundred and forty-one.

'(L.S.) *Aberdeen.*
'(L.S.) *Koller.*
'(L.S.) *Ste Aulaire.*
'(L.S.) *Schleinitz.*
'(L.S.) *Brunnow.*

'ANNEX (B.)

To the Treaty between *Great Britain, Austria, France, Prussia,* and *Russia* for the Suppression of the *African* Slave Trade; signed at *London,* the Twentieth Day of *December* in the Year One thousand eight hundred and forty-one.

'*Instructions to Cruisers.*

'First,—Whenever any Merchant Vessel belonging to or bearing the Flag of any One of the High Contracting Parties shall be visited by a Cruiser of any One of the other High Contracting Parties, the Officer commanding the Cruiser shall, before he proceeds to the Visit, exhibit to the Master of such Vessel the special Orders which confer upon him by Exception the Right to visit her; and he shall deliver to such Master a Certificate, signed by himself, specifying his Rank in the Navy of his Country, and the Name of the Ship which he commands, and declaring that the only Object of his Visit is to ascertain whether the Vessel is engaged in the Slave Trade, or is fitted out for the Purpose of such Traffic, or has been engaged in that Traffic during the Voyage in which she has been met with by the said Cruiser. When the Visit is made by an Officer of the Cruiser other than her Commander, such Officer shall not be under the Rank of Lieutenant in the Navy, unless he be the Officer who at the Time is Second in Command of the Ship by which the Visit is made; and in this Case such Officer shall exhibit to the Master of the Merchant Vessel a Copy of the special Orders above mentioned, signed by the Commander of the Cruiser, and shall likewise deliver to such Master a Certificate, signed by himself, specifying the Rank which he holds in the Navy of his Country, the Name of the Commander under whose Orders he is acting, the Name of the Cruiser to which he belongs, and the Object of his Visit, as herein-before recited.

'If it shall be ascertained by the Visit that the Ship's Papers are regular and her Proceedings lawful, the Officer shall certify upon the Log Book of the Vessel that the Visit took place in virtue of the special Orders above mentioned, and when these Formalities shall have been completed the Vessel shall be permitted to continue her Course.

'Secondly,—If, in consequence of the Visit, the Officer commanding the Cruiser shall be of opinion that there are sufficient Grounds for believing that the Vessel is engaged in the Slave Trade, or has been fitted out for that Traffic, or has been engaged in that Traffic during the

'Voyage

'Voyage in which she is met with by the Cruiser, and if he shall in consequence determine to 'detain her, and to have her delivered up to the Jurisdiction of the competent Authorities, he shall 'forthwith cause a List to be made out in duplicate of all the Papers found on board; and he 'shall sign this List and the Duplicate, adding after his own Name his Rank in the Navy and 'the Name of the Vessel under his Command.

'He shall in like Manner make out and sign in duplicate a Declaration stating the Place and 'Time of the Detention, the Name of the Vessel and that of her Master, the Names of the Persons 'composing her Crew, and the Number and Condition of the Slaves found on board.

'This Declaration shall further contain an exact Description of the State of the Vessel and of 'her Cargo.

'Thirdly,—The Commander of the Cruiser shall without Delay carry or send the detained 'Vessel, with her Master, Crew, Passengers, Cargo, and the Slaves found on board, to one of the 'Ports herein-after specified, in order that Proceedings may be instituted in regard to them, 'conformably to the Laws of the Country under whose Flag the Vessel is sailing; and he shall 'deliver the same to the competent Authorities, or to the Persons who shall have been specially 'appointed for that Purpose by the Government to whom such Port shall belong.

'Fourthly,—No Person whatever shall be taken out of the detained Vessel, nor shall any Part 'of her Cargo, nor any of the Slaves found on board, be removed from her, until after such 'Vessel shall have been delivered over to the Authorities of her own Nation, unless the Removal 'of the Whole or Part of the Crew or of the Slaves found on board shall be deemed necessary, 'either for the Preservation of their Lives or from any other Consideration of Humanity, or for 'the Safety of the Persons who shall be charged with the Navigation of the Vessel after her 'Detention; in any such Case the Commander of the Cruiser, or the Officer appointed to bring 'in the detained Vessel, shall make a Declaration of such Removal, in which he shall specify the 'Reasons for the same; and the Masters, Sailors, Passengers, or Slaves so removed shall be 'carried to the same Port as the Vessel and her Cargo, and they shall be received in the same 'Manner as the Vessel, agreeably to the Regulations herein-after set forth.

'Provided always, that nothing in this Paragraph shall be understood as applying to Slaves found 'on board of *Austrian, Prussian,* or *Russian* Vessels; but such Slaves shall be disposed of as is 'specified in the following Paragraphs.

'Fifthly,—All *Austrian* Vessels which shall be detained on the Stations of *America* or *Africa* 'by the Cruisers of the other Contracting Parties, shall be carried and delivered up to the *Austrian* 'Jurisdiction at *Trieste.*

'But if Slaves shall be found on board any such *Austrian* Vessel at the Time of her Detention, 'the Vessel shall in the first instance be sent to deposit the Slaves at that Port to which she would 'have been taken for Adjudication if she had been sailing under the *English* or *French* Flag; the 'Vessel shall afterwards be sent on, and shall be delivered up to the *Austrian* Jurisdiction at '*Trieste* as above stipulated.

'All *French* Vessels which shall be detained on the Western Coast of *Africa* by Cruisers of the 'other Contracting Parties, shall be carried and delivered up to the *French* Jurisdiction at *Goree.*

'All *French* Vessels which shall be detained on the Eastern Coast of *Africa* by the Cruisers of 'the other Contracting Parties, shall be carried and delivered up to the *French* Jurisdiction at 'the *Isle of Bourbon.*

'All *French* Vessels which shall be detained on the Coast of *America* to the Southward of the 'Tenth Degree of North Latitude by the Cruisers of the other Contracting Parties, shall be 'carried and delivered up to the *French* Jurisdiction at *Cayenne.*

'All *French* Vessels which shall be detained in the *West Indies* or on the Coast of *America* to 'the Northward of the Tenth Degree of North Latitude by the Cruisers of the other Contracting 'Parties, shall be carried and delivered up to the *French* Jurisdiction at *Martinique.*

'All *British* Vessels which shall be detained on the Western Coast of *Africa* by the Cruisers of 'the other Contracting Parties, shall be carried and delivered up to the *British* Jurisdiction at '*Bathurst* on the River *Gambia.*

'All *British* Vessels which shall be detained on the Eastern Coast of *Africa* by the Cruisers 'of the other Contracting Parties, shall be carried and delivered up to the *British* Jurisdiction at 'the *Cape of Good Hope.*

'All *British* Vessels which shall be detained on the Coast of *America* by the Cruisers of the 'other Contracting Parties, shall be carried and delivered up to the *British* Jurisdiction at the 'Colony of *Demerara* or at *Port Royal* in *Jamaica,* according as the Commander of the Cruiser 'may think most convenient.

'All *British* Vessels which shall be detained in the *West Indies* by the Cruisers of the other 'Contracting Parties, shall be carried and delivered up to the *British* Jurisdiction at *Port Royal* 'in *Jamaica.*

'All *Prussian* Vessels which shall be detained on the Stations of *America* or *Africa* by the 'Cruisers of the other Contracting Parties, shall be carried and delivered up to the *Prussian* 'Jurisdiction at *Stettin.*

'But if Slaves shall be found on board of any such *Prussian* Vessel a the Time of her Deten- 'tion, the Vessel shall in the first instance be sent to deposit the Slaves at that Port to which she

'would

'would have been taken for Adjudication if she had been sailing under the *English* or *French* 'Flag; the Vessel shall afterwards be sent on, and shall be delivered up to the *Prussian* Jurisdiction 'at *Stettin* as above stipulated.

'All *Russian* Vessels which shall be detained on the Stations of *America* or *Africa* by the 'Cruisers of the other Contracting Parties, shall be carried and delivered up to the *Russian* 'Jurisdiction at *Cronstadt* or at *Reval*, according as the Season of the Year may allow the one or 'the other of those Ports to be reached.

'But if Slaves shall be found on board any such *Russian* Vessel at the Time of her Detention, 'the Vessel shall in the first instance be sent to deposit the Slaves at that Port to which she would 'have been taken for Adjudication if she had been sailing under the *English* or *French* Flag; the 'Vessel shall afterwards be sent on, and shall be delivered up to the *Russian* Jurisdiction at '*Cronstadt* or at *Reval* as above stipulated.

'Sixthly,—As soon as a Merchant Vessel which shall have been detained as aforesaid shall 'arrive at one of the Ports or Places above mentioned, the Commander of the Cruiser, or the 'Officer appointed to bring in such detained Vessel, shall forthwith deliver to the Authorities 'duly appointed for that Purpose by the Government within whose Territory such Port or Place 'shall be, the Vessel and her Cargo, together with the Master, Crew, Passengers, and Slaves 'found on board, and also the Papers which shall have been seized on board the Vessel, and 'one of the Duplicate Lists of the said Papers, retaining the other in his own Possession; such 'Officer shall at the same Time deliver to the said Authorities One of the original Declarations as 'herein-before specified, adding thereto a Statement of any Changes which may have taken place 'from the Time of the Detention of the Vessel to that of the Delivery, as well as a Copy of the 'Statement of any Removals which have taken place as above provided for.

'In delivering over these several Documents the Officer shall make, in Writing and on Oath, 'an Attestation of their Truth.

'Seventhly,—If the Commander of a Cruiser of one of the High Contracting Parties, who 'shall be duly furnished with the aforesaid special Instructions, shall have Reason to suspect that 'a Merchant Vessel sailing under Convoy of or in company with a Ship of War of any one of the 'other Contracting Parties is engaged in the Slave Trade, or has been fitted out for the Purpose 'of that Traffic, or has been engaged in the Traffic in Slaves during the Voyage in which he 'is met with by the said Cruiser, he shall confine himself to communicating his Suspicions to the 'Commander of the Ship of War, and he shall leave it to the latter to proceed alone to visit the 'suspected Vessel, and to deliver her up to the Jurisdiction of her own Country, if there shall 'be Cause for doing so.

'Eighthly,—By Article IV. of the Treaty it is stipulated, that in no Case shall the mutual Right 'of Visit be exercised upon Ships of War of the High Contracting Parties.

'It is agreed that this Exemption shall apply equally to Vessels of the *Russian American* Com- 'pany, which being commanded by Officers of the Imperial Navy are authorized by the Imperial 'Government to carry a Flag which distinguishes them from the Merchant Navy, and are armed 'and equipped similarly to Transports of War.

'It is further understood that the said Vessels shall be furnished with a *Russian* Patent which 'shall prove their Origin and Destination. The Form of this Patent shall be drawn up by 'common Consent. It is agreed that this Patent, when issued by the competent Authority in '*Russia*, shall be countersigned at *Saint Petersburgh* by the Consulates of *Great Britain* and '*France*.

'Ninthly,—In the Third Clause of Article IX. of the Treaty it is stipulated, that, failing Proof 'to the contrary, a Vessel shall be presumed to be engaged in the Slave Trade if there be found 'on board spare Plank fitted for being laid down as a Second or Slave Deck.

'In order to prevent any Abuse which might arise from an arbitrary Interpretation of this 'Clause, it is especially recommended to the Cruisers not to apply it to *Austrian*, *Prussian*, or '*Russian* Vessels employed in the Timber Trade, whose Manifests shall prove that the Planks 'and Joists which they have or have had on board are or were a Part of their Cargo for Trade. Equipment Article not to be applied to Austria, &c., &c.

'Therefore, in order not to harass lawful Commerce, Cruisers are expressly enjoined only to 'act upon the Stipulations contained in the Third Clause of Article IX., when there shall be on 'board the Vessel visited spare Plank evidently destined to form a Slave Deck.

'The undersigned Plenipotentiaries have agreed, in conformity with the Eighteenth Article of the 'Treaty, signed by them this Day, that these Instructions shall be annexed to the Treaty signed 'this Day between *Great Britain*, *Austria*, *France*, *Prussia*, and *Russia* for the Suppression of *African* 'Slave Trade, and shall be considered as an integral Part of that Treaty.

'In witness whereof the Plenipotentiaries of the High Contracting Parties have signed this Annex, 'and have thereunto affixed the Seal of their Arms.

'Done at *London*, the Twentieth Day of *December* in the Year of our Lord One thousand eight 'hundred and forty-one.

'(L.S.) *Aberdeen.*
'(L.S.) *Koller.*
'(L.S.) *Ste. Aulaire.*
'(L.S.) *Schleinitz.*
'(L.S.) *Brunnow.*

'And

'And whereas the said Treaty was ratified between Her Majesty the Queen of the United Kingdom 'of *Great Britain* and *Ireland* and the Emperor of *Austria*, the King of *Prussia*, and the Emperor 'of all the *Russias*, and such Ratifications were exchanged on the Nineteenth Day of *February* 'in the Year One thousand eight hundred and forty-two; but the same has not been ratified 'by the King of the *French*: And whereas it is expedient and necessary that effectual Provision 'should be made for carrying into execution the Provisions of the said Treaty, and the Annexes 'thereto, so far as the same relate to *Great Britain*, *Austria*, *Prussia*, and *Russia*;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty, or of Their Majesties the Emperor of *Austria* King of *Hungary* and *Bohemia*, the King of *Prussia*, and the Emperor of all the *Russias*, who shall have such Rank as by the Second Article of the said Treaty is agreed, and who shall be duly instructed and authorized and furnished according to the several Provisions of the said Treaty, and within the Waters described, and according to the Provisions and Exceptions contained in the said Second Article of the said Treaty, to exercise the Right of visiting and searching any *British*, *Austrian*, *Prussian*, or *Russian* Merchant Vessels liable to Suspicion, and suspected of having been engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in the Traffic during the Voyage in which she shall have been met with by the said Cruisers of Her Majesty the Queen, or by the Cruisers of *Austria*, *Prussia*, or *Russia*, except Vessels of the *Russian American* Company, commanded by Officers of the Imperial Navy, as mentioned in the Eighth Article of the Instructions to Cruisers in Annex (B.), forming an integral Part of the said Treaty, and upon sufficient Grounds of detaining, sending, carrying in, and delivering over, without Delay, any such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, to the Authorities appointed for the Purpose of the said Treaty by the respective Governments of *Great Britain*, *Austria*, *Prussia*, and *Russia*, and to one of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted conformably to the respective Laws of the said Countries; and all Commanders of Her Majesty's Ships in the Exercise of such Rights as aforesaid shall comply with the several Provisions and Instructions of the said Treaty which apply thereto respectively.

Officers commanding Ships of Her Majesty, or of Their Majesties the Emperor of Austria King of Hungary and Bohemia, the King of Prussia, and the Emperor of all the Russias, being duly authorized, empowered to visit and search Merchant Ships within certain Limits.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by *British*, *Austrian*, *Prussian*, or *Russian* Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Treaty, and subject to Condemnation or other Judgment by the Courts of Admiralty in Her Majesty's Dominions.

Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search.

III. And be it enacted, That where any such Officer of Their Majesties the Emperor of *Austria* King of *Hungary* and *Bohemia*, the King of *Prussia*, and the Emperor of all the *Russias* shall send, carry, or deliver over as aforesaid any such Merchant Vessel wholly or in part owned by any Subject or Subjects of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of Her Majesty by some Person duly thereunto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruisers of Their said Majesties the Emperor of *Austria*, King of *Prussia*, and Emperor of all the *Russias*, and delivered up to the Jurisdiction of Her Majesty at *Bathurst* on the River *Gambia*, shall be proceeded against and adjudicated in the Vice Admiralty Court at *Sierra Leone*, and that all other Ships, Cargoes, and Slaves which may in like Manner be detained by the Cruisers of their said Majesties, and delivered up to the Jurisdiction of Her Majesty either at *Jamaica*, *Cape of Good Hope*, or *Demerara* shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively shall be authorized to take cognizance thereof accordingly.

Proceedings against British Vessels to be conducted in the Name of Her Majesty.

IV. And be it declared and enacted, That if any of the Particulars specified in the Ninth Article of the said Treaty shall be found in her Outfit or Equipment, or on board of any such Merchant Vessel wholly or in part owned by any Subject or Subjects of Her Majesty, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Vessels equipped for Traffic in Slaves to be held as engaged in the Slave Trade, unless the contrary is proved.

5 G. 4. c. 113.

V. And be it enacted, That in case any such Merchant Vessel, wholly or in part owned as last aforesaid, shall be seized by any Officer of Their Majesties the Emperor of *Austria*, King of *Prussia*, or Emperor of all the *Russias* duly authorized, and shall, with the Goods, Wares, and Merchandize laden therein, be confiscated according to the Laws of this Country, and the Provisions of the said Treaty, the Proceeds arising from the Sale thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

To whom Proceeds of British Vessels confiscated shall be paid.

VI. And be it enacted, That it shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice Admiralty in any Dominions of Her Majesty beyond the Seas, to take cognizance of and try any such *British* Vessel which shall be detained or captured within the Limits aforesaid, under

The Trial of Vessels engaged in the Slave Trade.

under any such Order or Authority, and to condemn any such Vessel and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice Admiralty.

Punishing Persons giving false Evidence.

VII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Treaty or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench, the Venue may be laid in the County of *Middlesex.*

Pendency of Suits to be a Bar to Proceedings for Recovery of Vessels detained.

VIII. And be it enacted, That the Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty in the High Court of Admiralty in *England*, or in any Vice Admiralty Court, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or any thing done in pursuance of the Provisions of the said Treaty.

Vessels condemned to be sold for Her Majesty's Service or broken up.

IX. And be it enacted, That any Ship or Vessel which shall be condemned under any such Authority as aforesaid may be taken into Her Majesty's Service upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken, shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned, be entitled to One Moiety of the Proceeds.

X. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the Treaty or Articles herein-before mentioned, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized to make such Seizure under the Provisions of the said Treaty, and shall be afterwards condemned by any of the said Tribunals, there shall be paid to the Captors One Moiety of the net Proceeds, after deducting all necessary Expences; such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty for Slaves captured.

XI. And be it enacted, That there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the said Treaty a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board a *British*, *Austrian*, *Prussian*, or *Russian* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty shall think fit to order by any Order in Council, or by any Proclamation to be made for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

XII. And be it enacted, That where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, in addition to the Amount which may be payable in respect of the Moiety of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized, an additional Bounty to be paid.

XIII. And be it enacted, That where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel, at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained, to be certified by the Commissioners by whom such Condemnation shall be pronounced: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of the Consolidated Fund.

XIV. And be it enacted, That all Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the Provisions of any such Treaties or Conventions, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

XV. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

XVI. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy duly certified of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Commissioners of the Treasury.

XVII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XVIII. And be it enacted, That where any Slaves, or Persons treated as Slaves, shall be seized on board any *British*, *Austrian*, *Prussian*, or *Russian* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XIX. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *British*, *Austrian*, *Prussian*, or *Russian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations and Penalties respecting Prize Agents Accounts extended.

XX. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Commissioners of the Treasury may order Payment of Costs awarded for Vessels of Her Majesty detained but not condemned.

XXI. And be it enacted, That where any Ship or Vessel belonging in whole or in part to the Subjects of the Emperor of *Austria*, King of *Prussia*, or Emperor of all the *Russias* shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, and the said Ship shall be restored as mentioned in the Twelfth Article of the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded according to the Provisions of the said last-mentioned Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expences incurred by him.

XXII. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizure under the aforesaid Treaty, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expences as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

No Compensation when any Articles specified in the Ninth Article are found.

XXIII. Provided always, and be it enacted, That if any of the Things specified in the Ninth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Courts, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although such Tribunal should not pronounce any Sentence of Condemnation.

CAP. LI.

An Act for carrying into effect the Treaty between Her Majesty and the *Mexican* Republic for the Abolition of the Traffic in Slaves. [10th *August* 1843.]

'WHEREAS on the Twenty-fourth Day of *February* in the Year of our Lord One thousand eight hundred and forty-one a Treaty was concluded and signed at *Mexico*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the *Mexican* Republic, for the Abolition of the Traffic in Slaves, whereby it was agreed as follows:

'ARTICLE I.—The Slave Trade is declared by this Treaty to be totally and perpetually abolished in all Parts of the World on the Part of the *Mexican* Republic, as are already Slavery in the *Mexican* Territory and the aforesaid Traffic in Slaves on the Part of *Great Britain*.

'ARTICLE

'ARTICLE II.—The Government of *Mexico* engages to take, immediately after the Exchange of 'the Ratifications of the present Treaty, and subsequently from Time to Time when it may be neces- 'sary, the most effectual Measures to prevent the Citizens of the *Mexican* Republic from being 'concerned in the Slave Trade, and the Flag of the said Republic from being employed in any way 'in carrying on that Traffic, and binds itself specially to procure from the National Congress as soon 'as possible a penal Law by which the severest Punishment shall be imposed on all Citizens of 'the Republic who shall, under whatsoever Pretext, take any Part in the aforesaid Traffic in 'Slaves.

'ARTICLE III.—The *Mexican* Government engages to propose in the National Congress a Law 'which shall declare to be Pirates all such Citizens of the Republic as may be engaged in the Slave 'Trade, as well as all such Individuals as may carry it on under the National Flag; and Her Majesty 'the Queen of the United Kingdom of *Great Britain* and *Ireland* and His Excellency the President 'of the Republic mutually bind themselves to promulgate or propose in their respective Legislatures 'the most suitable Measures for immediately carrying into execution the Laws of Piracy, which are 'to be applicable to the said Traffic, in conformity with the legislative Enactments of each of the 'Two Countries with respect to the Vessels and Subjects or Citizens of the Two Nations.

'ARTICLE IV.—In order to prevent completely all Infringement of the Spirit of the present 'Treaty the Two High Contracting Parties mutually consent that the Ships of their respective 'Navies, which shall be provided as herein-after mentioned with special Instructions for the Purpose, 'may search such Merchant Vessels of the Two Nations as may be suspected, on reasonable Grounds, 'of being engaged in the Traffic in Slaves, or of having been fitted out for the Purpose thereof, or of 'having, during the Voyage in which they may be met with by the said Cruisers, been engaged in 'the Traffic in Slaves, in contravention of the Stipulations of the present Treaty; and the Two Con- 'tracting Parties also agree that the said Cruisers may detain such Vessels, and send or convey them 'to be tried in the Manner herein-after provided.

'With a view to avoid even the Possibility of Annoyance to the Coasting Trade of *Mexico* from 'the Exercise of the mutual Right of Search stipulated in the present Article, the High Contracting 'Parties agree that the said Right shall not be enforced within a Line drawn from the Mouth of the '*Rio Bravo del Norte*, in Twenty-five Degrees Fifty-five Minutes of North Latitude, and Ninety- 'seven Degrees Twenty-five Minutes of Longitude West from *Greenwich*, to the Port of *Sisal* in the 'Peninsula of *Yucatan*, in Twenty-one Degrees Six Minutes of North Latitude, and Ninety Degrees 'Four Minutes of Longitude West from *Greenwich;* it being always understood that if a Vessel 'suspected of being engaged in the Slave Trade shall be discovered without the said Line by a '*British* or *Mexican* Cruiser, and shall succeed in passing within that Line, it shall not on that 'Account be considered as protected by the present Restriction, which is solely adopted for the 'greater Security of the Coasting Trade of *Mexico*.

'Nor shall the reciprocal Right of Search be exercised in the *Mediterranean Sea*, nor in the Seas 'of *Europe* lying without the Straits of *Gibraltar*, and to the North of the Thirty-seventh Parallel of 'North Latitude, and to the Eastward of the Meridian of Twenty Degrees West of *Greenwich*.

'ARTICLE V.—In order to regulate the Mode of carrying into execution the Provisions of the 'preceding Article, it is agreed,—

'First,—That their respective Governments shall provide the Ships of the Navies of the Two 'Nations to be employed in future in the Prevention of the Slave Trade with Copies, in the *English* 'and *Spanish* Languages, of the present Treaty, of the Instructions for Cruisers annexed thereto, '*sub literâ* (A.), and of the Regulations for the Tribunals which shall have to try the Vessels 'detained by virtue of the Stipulations contained in this Treaty, which are also annexed, *sub literâ* '(B.), which Annexes respectively shall be considered as integral Part of the said Treaty.

'Secondly,—That each of the High Contracting Parties shall from Time to Time communicate 'to the other the Names of the several Ships destined for this Service, and furnished with such 'Instructions, the Force of each, and the Names of their Commanders.

'Thirdly,—That when the Commander of a Cruiser of either of the Two Nations shall suspect 'that any One or more Vessel or Vessels navigating under the Escort or Convoy of a Ship of War 'of the other Nation carries Slaves on board, or has been engaged in this prohibited Traffic, or is 'fitted out for it, he shall communicate his Suspicions to the Commanding Officer of the Convoy, 'who, accompanied by the Commanding Officer of the Cruiser, shall proceed to the Search of the 'suspected Vessel; and in case that the Suspicions appear well founded according to the Tenor of 'this Treaty, then the said Vessel shall be conducted or sent to the Place where it is to be brought 'to Trial, in order that the just Sentence may there be pronounced.

'Fourthly,—It is further agreed, that the Commanders of the Ships of the Two Navies who 'shall be employed on this Service shall adhere in each Case to the exact Tenor of the said 'Instructions.

'ARTICLE VI.—As the Two preceding Articles are entirely reciprocal, the High Contracting 'Parties engage to make good any Losses incurred by their respective Subjects or Citizens by the 'arbitrary and illegal Detention of their Vessels, it being understood that this Compensation shall be 'paid invariably by the Government whose Cruiser shall have been guilty of such arbitrary and 'illegal Detention; and they also engage that the Visit and Detention of Vessels, specified in the 'Fourth Article of this Treaty, shall only be effected by such *English* or *Mexican* Ships as may form

'Part of the Royal and National Navies of the High Contracting Parties, and which are provided 'with the Documents mentioned in the preceding Article.

'ARTICLE VII.—It is agreed by the present Article, that the Vessels detained, in conformity with 'the Fourth Article of this Treaty, by *British* or *Mexican* Cruisers, shall be conducted or sent, 'together with their Commanders, Crews, and Cargoes, to the nearest Point in the Country to which 'the captured Vessel belongs, where there may be a competent Tribunal to try it; (that is to say,) '*British* Vessels are to be conducted or sent to the nearest Possession of Her *Britannic* Majesty 'where such Tribunal exists, and *Mexican* Vessels to the Port of *Vera Cruz*, except in Cases in 'which Slaves shall be on board at the Time of Capture; in such Cases the Vessel shall be sent or 'conducted to the nearest Possession of either of the Two Powers, or to such Place belonging to 'either as may be soonest reached, according to the Judgment of the Commander of the capturing 'Ship, under his own Responsibility, in order that the Slaves may be landed; the Vessel, with the 'Remainder of her Cargo, her Commander and Crew, shall be afterwards sent or conducted to the 'Place where she is to be tried, in conformity with the before-mentioned Provisions of this Article.

'The Governments of the High Contracting Parties shall have the Power to name, by themselves, 'or through the Medium of their Legations or Consulates, an Advocate, who may be a Subject or 'Citizen of either of the Two Nations, to undertake the Prosecution or Defence, as the Case may be, 'of the Vessels brought to Trial, and solemnly pledge themselves to afford to such Advocates all 'necessary Liberty and Protection, and such as is allowed by Law to the Advocates of the 'Country.

'For the more speedy Conclusion of these Trials, the High Contracting Parties engage to 'procure the Enactment of Laws which shall abridge as much as possible the Forms of Indictment 'and Sentence.

'ARTICLE VIII.—When the Commanding Officer of any of the Ships of the Navies of Her 'Britannic Majesty or of the Republic of *Mexico*, commissioned respectively in due Form, according 'to the Provisions of the Fourth Article of this Treaty, shall deviate in any respect from the Stipula- 'tions of the said Treaty, or from the Instructions annexed thereto, the Government which shall 'conceive itself wronged shall be entitled to demand Reparation, and in such Case the Government 'in whose Service the said Commanding Officer may be binds itself to cause an Inquiry to be made 'into the Subject of Complaint, and to inflict on such Officer a Punishment proportioned to the 'Offence.

'ARTICLE IX.—It is further agreed, that every Merchant Vessel, *British* or *Mexican*, which shall 'be visited by virtue of the present Treaty, may be detained and sent or brought before the proper 'Tribunals, if there shall be found in her Equipment any of the following Things:—

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulkheads in the Hold, or on Deck, in greater Number than are 'necessary for a Vessel engaged in a lawful Trade.

'Thirdly,—Spare Plank prepared to be fitted up as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A Quantity of Water in Casks or Tanks much greater than is requisite for the Con- 'sumption of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House of the Port from which he 'cleared outwards, stating that the Owners of such Vessel had given sufficient Security that such 'extra Quantity of Casks or of other Vessels should only be employed to receive Palm Oil, or for 'other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs than are requisite for the Use of the Crew of 'the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler of an unusual Size, and larger than is requisite for the Use of the Crew of 'the Vessel as a Merchant Vessel, or more than One Boiler of the ordinary Size.

'Ninthly,—An Extraordinary Quantity of Rice, of Flour of Brazil, of Manioc or Cassava com- 'monly called Farina, of Maize, exceeding what might probably be consumed by the Crew, such 'Rice, Flour, or Maize not appearing to be entered on the Manifest as Part of the Cargo for 'Trade.

'Any One or more of these several Circumstances, if proved, shall be considered as Indications *primâ* '*facie* of the actual Employment of the Vessel in the Slave Trade, and will serve therefore to con- 'demn and declare her a lawful Prize, unless it be established by satisfactory Evidence on the Part 'of the Master or Owners that the Vessel at the Time of her Detention was employed in some legal 'Pursuit.

'ARTICLE X.—If any of the Things specified in the preceding Article be found in any Merchant 'Vessel, no Compensation for Losses, Damages, or Expences resulting from the Detention of such 'Vessel shall be allowed either to her Master or to her Owner, or other Person interested in her 'Equipment or Lading, even though the Tribunal declare her acquitted.

'ARTICLE XI.—It is hereby agreed between the Two High Contracting Parties that in all Cases in 'which a Vessel shall be detained, according to the Stipulations of this Treaty, by their respective

'Cruisers

'Cruisers as having been engaged in the Slave Trade, or as having been fitted out for the Purpose 'thereof, and shall consequently be tried and condemned by the proper Tribunal, the said Vessel 'shall, immediately after her Condemnation, be broken up, and the separate Parts sold.

'ARTICLE XII.—Each of the High Contracting Parties solemnly binds itself to guarantee the 'Liberty of the Negroes who may be emancipated and conducted to either of the Two Nations, by 'virtue of the Stipulations of this Treaty, from the Moment of their landing in their respective 'Territories, and to afford from Time to Time, when demanded by the other Party or by the 'respective Tribunals, the fullest Information as to the State and Condition of such Negroes, with a 'view of insuring the due Execution of the Treaty in this respect.

'For this Purpose the Regulations annexed to this Treaty, *sub literâ* (C.), as to the Treatment of 'such liberated Negroes, have been drawn up and declared an integral Part of the said Treaty.

'The High Contracting Parties reserve to themselves the Right of altering and suspending, by 'common Consent, but not otherwise, the Terms of the said Regulations.

'ARTICLE XIII.—The Annexes of this Treaty, which it is mutually agreed shall form an integral 'Part thereof, are as follows:

'(A.) Instructions for the Ships of the *British* and *Mexican* Navies destined to prevent the 'Traffic in Slaves.

'(B.) Regulations for the Tribunals which are to take cognizance of the Trials of the Vessels 'detained by virtue of the Stipulations of this Treaty.

'(C.) Regulations for the Treatment of the liberated Negroes.

'ARTICLE XIV.—As the principal Object of this Treaty, additional Articles, and Three Annexes 'which form Part of it, is no other than that of preventing the Traffic in Slaves, without any Annoy- 'ance to the respective Merchant Shipping of the Two Nations, the High Contracting Parties, 'animated by the same Sentiments, agree that if in future it should appear necessary to adopt new 'Measures for attaining the same beneficent Object, or for obviating any Inconvenience to the afore- 'said Shipping, which Experience shall have made known, in consequence of those established in 'this Treaty, additional Articles, and Annexes proving inefficacious, the said High Contracting 'Parties will consult together for the complete Attainment of the Object proposed.

'ARTICLE XV.—The present Treaty, consisting of Fifteen Articles, shall be ratified, and the 'Ratifications thereof exchanged in *London*, within a Year from this Date.

'In witness whereof the respective Plenipotentiaries have signed, in Duplicate, in the *English* and *Spanish* Languages, the present Treaty, and have affixed their respective Seals.

'Done in the City of *Mexico*, this Twenty-fourth Day of *February* in the Year of our Lord 'One thousand eight hundred and forty-one.

'(L. S.) *Richard Pakenham.*
'(L. S.) *Luis Gonzaga Cuevas.*

ADDITIONAL ARTICLES.

'I.—Her *Britannic* Majesty agrees that, for the first Eight Years of the Duration of the present 'Treaty, the Government of the Republic shall not be obliged to appoint Cruisers to prevent the 'Traffic in Slaves; but the said Government of *Mexico* reserves to itself the Right of appointing such 'Cruisers as soon as the Circumstances of its Navy may permit such Appointment, giving Notice 'thereof to the Government of Her *Britannic* Majesty.

'II.—To avoid even the Possibility of Prejudice resulting from the Ninth Article of Treaty of this 'Date to the Merchant Vessels which the *Mexican* Government may have occasion to employ in 'certain Cases for the Conveyance of Troops by Sea, or of Convicts from one Point of the Republic 'to another, it is agreed to except from the Operation of the Ninth Article the Merchant Vessels 'employed by the *Mexican* Government in such Service; such Vessels shall not be liable to be 'detained, even if One or more of the Things mentioned in the aforesaid Article should be 'found on board, provided they do not convey Negroes for the Slave Trade, and that the Captain of 'the Vessel on board which the prohibited Articles or Effects are found produce a Document, signed 'by any competent Authority of the Republic, stating the Service on which such Vessel is employed; 'but such Document must not be of a Date so remote that it may be believed, on reasonable Grounds, 'to have been issued for another Voyage anterior to that on which such Vessel has been met with.

'The Two preceding additional Articles shall have the same Force and Effect as if they had been 'inserted, Word for Word, in the Treaty of this Date. They shall be ratified and the Ratifications 'exchanged at the same Time as those of the Treaty of which they form Part.

'In witness whereof the respective Plenipotentiaries have signed them, and affixed their Seals.

'Done in the City of *Mexico*, this Twenty-fourth Day of *February* in the Year of our Lord 'One thousand eight hundred and forty-one.

'(L. S.) *Richard Pakenham.*
'(L. S.) *Luis Gonzaga Cuevas.*

'ANNEX

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of MEXICO for the ABOLITION of the 'SLAVE TRADE.

'*Instructions for the Ships of the British and Mexican Navies employed to prevent the Traffic in 'Slaves.*

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or 'of the Republic of *Mexico*, duly furnished with these Instructions, shall have the Right to visit, 'search, and detain any *British* or *Mexican* Merchant Vessel which shall be engaged, or suspected 'on good Grounds of being engaged, in the Slave Trade, or of being fitted out for that Purpose, or 'of having been engaged in the said Traffic during the Voyage in which such Vessel may be met with 'by such Ship of the *British* or *Mexican* Navy. If such Commander should find his Suspicions 'borne out, he may send or bring such Vessels as soon as possible to be tried by the competent 'Tribunals, according to the Tenor of the Seventh Article of the Treaty of this Date.

'ARTICLE II.—Whenever a Ship of either of the said Two Navies, duly authorized as aforesaid, 'shall meet a Merchant Vessel liable to be visited under the Provisions of the Treaty, the Search 'shall be conducted in the most considerate Manner, and with every Attention which ought to be 'observed between Two allied and friendly Nations; and the Search shall in every Case be made by an 'Officer holding a Rank not lower than that of Lieutenant in the Navy to which he belongs, or by 'the Officer who at the Time shall be second in Command of the Ship by which the Search is 'made.

'ARTICLE III.—The Commander of any Ship of the Two Navies, duly authorized, who may detain 'any Merchant Vessel in pursuance of the present Instructions, shall leave on board the detained 'Vessel her Master, Mate, or Boatswain, and Two or Three at least of her Crew, all her Cargo, and 'all the Slaves, until they arrive at the Place where they are to be disembarked, as stipulated in the 'Seventh Article of the Treaty.

'The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, to be 'signed by himself, which shall set forth the State in which he found the detained Vessel, and this 'Document shall be given in or sent together with the captured Vessel to the Tribunal before which 'such Vessel shall be carried or sent for Adjudication.

'The said Captor shall deliver to the Master of the detained Vessel a signed Certificate, stating the 'Papers seized on board the same, as well as the Number of Slaves found on board at the Time of 'Detention.

'In the authentic Declaration hereby required to be made by the Captor, and in the Certificate of 'the Papers seized, he shall insert his Name and Rank, the Name of the capturing Ship, the Latitude 'and Longitude of the Spot where the Detention shall have taken place, and the Number of Slaves 'found on board the Vessel at the Time of such Detention.

'The Declaration to be produced by the capturing Commander shall also set forth the Place where 'the Slaves have been landed, in pursuance of the Stipulation in the Seventh Article of the Treaty, 'as well as the Necessity and Reasons for having conveyed them to such Place.

'The Officer in charge of the detained Vessel shall, at the Time of giving in the aforesaid Papers 'to the proper Tribunal, produce a Statement, sworn to and signed by himself, of the Changes which 'may have taken place with respect to the Vessel, her Crew, the Slaves, if any, and her Cargo, from 'the Time of her Detention to the Day of the Delivery of such Document.

'The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the 'Treaty signed this Day, that the preceding Instructions, consisting of Three Articles, shall be 'annexed to the said Treaty, and be considered an integral Part thereof.

'Done in the City of *Mexico*, this Twenty-fourth Day of *February* One thousand eight hundred 'and forty-one.

'(L.S.) *Richard Pakenham.*
'(L.S.) *Luis Gonzaga Cuevas.*

'ANNEX (B.)

'OF the TREATY between GREAT BRITAIN and the REPUBLIC of MEXICO for the ABOLITION of the 'SLAVE TRADE.

'*Regulations for the Courts which are to take cognizance of the Causes of the Vessels detained by virtue 'of the Stipulations of the Treaty of this Date.*

'ARTICLE I.—The Courts which, according to the Laws of the Two Contracting Nations, are to 'take cognizance of the Causes of the Vessels detained by virtue of the Stipulations of the Treaty to 'which these Regulations are annexed, shall proceed in the most summary Manner permitted by the 'Laws of their respective Countries, and with entire Subjection to the Stipulations of the said Treaty, 'observing in every Case the strictest Impartiality.

'Each of the Two High Contracting Parties engages to pay out of their respective Treasuries the 'Salaries of the Judges and Officers appointed to take cognizance of these Causes.

'ARTICLE II.—The Expences incurred by the Officer charged with the Reception, Maintenance, 'and Care of the detained Vessel, Slaves, and Cargo, and the Expences of carrying the Sentence

'into

'into execution, and all Disbursements occasioned in bringing the Vessel before the competent Court, 'shall, in case of Condemnation, be defrayed from the Funds arising from the Sale of the Materials 'of the Vessel after the same shall have been broken up, of the Ship's Stores, and other Articles of 'Merchandize found on board; and in case the Proceeds arising from such Sales should not prove 'sufficient to defray such Expences the Deficiency shall be made good by the Government of the 'Country within whose Territory the Vessel shall have been tried.

'If the detained Vessel shall be acquitted, the Expences occasioned by bringing her to Adjudica- 'tion shall be defrayed by the Captor, except in the Cases specified and provided for in the Tenth 'Article of the Treaty of this Date, and in the Sixth Article of these Regulations.

'ARTICLE III.—The final Sentence of the Courts which have to take cognizance of these Causes 'shall not in any Case be delayed for more than Two Months, whether on account of the Absence of 'Witnesses or for any other Cause, except upon the Application of any of the Parties interested; but 'in that Case, upon such Party or Parties giving satisfactory Security that they will take upon them- 'selves the Expence and Risks of the Delay, the Courts may, at their Discretion, grant any additional 'Delay, not exceeding Four Months. Either Party may employ such Person or Persons as he may 'think fit to assist him in the Trials in question.

'All the Acts and essential Parts of the Proceedings of the respective Courts shall be drawn up in 'Writing in the Language of the Country to which the Court belongs.

'ARTICLE IV.—If the detained Vessel shall be restored by the Sentence of the Court, the Vessel 'and the Cargo, in the State in which they shall then be found, shall forthwith be given up to the 'Master, or to the Person who represents him; and such Master or other Person may, before the 'same Court, claim a Valuation of the Damages which he may have a Right to demand.

'The Captor himself, and in his Default his Government, shall remain responsible for the Damages 'to which the Master of such Vessel, or the Owners, either of the Vessel or of her Cargo, may be 'pronounced to be entitled.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the 'Date of the Sentence, the Costs and Damages which may be awarded by the above-named Court; 'it being mutually understood and agreed, that such Costs and Damages shall be made good by the 'Government of the Country of which the Captor shall be a Subject.

'ARTICLE V.—If the detained Vessel shall be condemned, she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, and the said Vessel shall, as well as her 'Cargo, be sold by public Auction, for the Benefit of the Two Governments, subject to the Payment 'of the Expences herein-after mentioned.

'ARTICLE VI.—The Courts shall also take cognizance of, and shall decide definitively and without 'Appeal, all Claims for Compensation on account of Losses occasioned to Vessels and Cargoes which 'shall have been detained under the Provisions of this Treaty, but which shall not have been con- 'demned as legal Prize by the said Courts; and in Cases wherein Restitution of such Vessels and 'Cargoes shall be decreed, save as mentioned in Article the Tenth of the Treaty to which these Re- 'gulations form an Annex, and in a subsequent Part of these Regulations, the Court shall award to 'the Claimant or Claimants, or to his or their lawful Attorney or Attornies, for his or their Use, a 'just and complete Indemnification for all Costs of Suit, and for all Losses and Damages which the 'Owner or Owners may have actually sustained by such Capture and Detention; and it is agreed 'that the Indemnification shall be as follows:

'First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(a) For the Ship, her Tackle, Equipment, and Stores.

'(b) For all Freights due and payable.

'(c) For the Value of the Cargo of Merchandize, if any, deducting all Charges and 'Expences payable upon the Sale of such Cargo, including Commission of Sale.

'(d) For all other regular Charges in such Case of total Loss.

'Secondly,—In all other Cases (save as herein-after mentioned), not of total Loss, the Claimant 'or Claimants shall be indemnified,—

'(a) For all special Damages and Expences occasioned to the Ship by the Detention, and 'for Loss of Freight when due or payable.

'(b) For Demurrage, when due, according to the Schedule annexed to the present 'Article.

'(c) For any Deterioration of the Cargo.

'(d) For all Premium of Insurance on additional Risks.

'The Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum per* '*Annum* on the Sum awarded, until such Sum is paid by the Government to which the capturing 'Ship belongs. The whole Amount of such Indemnifications shall be calculated in the Money of the 'Country to which the detained Vessel belongs, and shall be liquidated at the Exchange current at 'the Time of the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the 'Satisfaction of the Court that the Captor has been led into Error by the Fault of the Master or 'Commander of the detained Vessel, the detained Vessel in that Case shall not have the Right of 'receiving for the Time of her Detention the Demurrage stipulated by the present Article, nor any 'other Compensation for Losses, Damages, or Expences consequent upon such Detention.

'SCHEDULE

'Schedule of Demurrage or daily Allowance for a Vessel of

'100	Tons to	120	inclusive	-	-	£5	*per Diem.*
'121	„	150	„	-	-	6	„
'151	„	170	„	-	-	8	„
'171	„	200	„	-	-	10	„
'201	„	220	„	-	-	11	„
'221	„	250	„	-	-	12	„
'251	„	270	„	-	-	14	„
'271	„	300	„	-	-	15	„

'And so in proportion.

'ARTICLE VII.—Neither the Magistrates who constituted the Courts, nor the Secretaries, nor the 'subordinate Officers, shall demand or receive from any of the Parties concerned in the Cases which 'shall be brought before such Courts any Emolument or Gift, under any Pretext whatsoever, for the 'Performance of their Duties.

'The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the 'Treaty of this Date, that the preceding Regulations, consisting of Seven Articles, shall be annexed 'to the said Treaty, and considered as an integral Part thereof.

'Done in the City of *Mexico*, this Twenty-fourth Day of *February* One thousand eight hundred 'and forty-one.

'(L.S.) *Richard Pakenham.*
'(L.S.) *Luis Gonzaga Cuevas.*

'ANNEX (C.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of MEXICO for the ABOLITION of the 'SLAVE TRADE.

'*Regulations for the Treatment of liberated Negroes.*

'ARTICLE I.—The Object of these Regulations is, to secure to Negroes liberated by the Stipula- 'tions of the Treaty to which they form an Annex, *sub literâ* (C.), permanent good Treatment, and 'full and complete Emancipation, in conformity with the humane Intentions of the High Contracting 'Parties.

'ARTICLE II.—As soon as the Slaves are disembarked, in conformity with the Provisions of the 'Seventh Article of the Treaty to which these Regulations are annexed, they shall receive from the 'chief political Authority a Certificate of Emancipation, and shall immediately be placed at the Dis- 'position of the Government of the Nation to which the Point or Place of Disembarkation belongs, in 'order that they may be treated in accordance with the present Regulation.

'ARTICLE III.—The Government of the Republic of *Mexico* engages, when the Case occurs, to 'secure to the Negroes the Enjoyment of their acquired Liberty, good Treatment, adequate Instruc- 'tion in the Tenets of Religion and Morality, and such as may be necessary in order that they may 'be able to maintain themselves as Artizans, Mechanics, or domestic Servants.

'ARTICLE IV.—Her *Britannic* Majesty, in like Manner, engages to treat such Negroes, when 'disembarked in any Point of Her Dominions, in exact conformity with the Laws in force in the 'Colonies of *Great Britain* for the Regulation of the emancipated Negroes.

'ARTICLE V.—The Two Governments engage to take the requisite Measures, with a view to 'obtain, periodically, Information of the Existence of the Negroes who may have been emancipated 'by virtue of the Treaty of this Date, of the Improvement in their Condition, and of the Progress 'made in their Instruction, both religious and moral, as also in the Arts of Life, or Proof of their 'Death. These Data will serve to furnish, as the Case occurs, the Information spoken of in the 'Twelfth Article of the said Treaty.

'The undersigned Plenipotentiaries have agreed, in conformity with the Thirteenth Article of the 'Treaty of this Date, that these Regulations, consisting of Five Articles, shall be annexed to the said 'Treaty, and be considered as an integral Part thereof.

'Done in the City of *Mexico*, this Twenty-fourth Day of *February* in the Year of our Lord One 'thousand eight hundred and forty-one.

'(L.S.) *Richard Pakenham.*
'(L.S.) *Luis Gonzaga Cuevas.*

'And whereas on the Thirteenth Day of *April* in the Year of our Lord One thousand eight hundred and 'forty-two a further additional Article to the said Treaty was concluded and signed, whereby it was agreed 'as follows:

'ADDITIONAL ARTICLE.—The Ratifications of the Treaty for the Suppression of the Slave Trade 'under the Flag of *Mexico*, concluded at *Mexico* on the Twenty-fourth Day of *February* in the Year 'One thousand eight hundred and forty-one, shall be exchanged in *London* within Six Months from 'the Date of this Agreement.

'The present additional Article shall have the same Force and Effect as if it had been inserted, 'Word for Word, in the aforesaid Treaty of the Twenty-fourth Day of *February* in the Year One 'thousand

'thousand eight hundred and forty-one, and the Ratifications of it shall be exchanged in *London* at 'the same Time as the Ratification of the Treaty of which it forms a Part.

'In witness whereof the respective Plenipotentiaries have signed the present Agreement, and have 'affixed their respective Seals.

'Done in the City of *Mexico*, the Thirteenth Day of *April* in the Year of our Lord One thousand 'eight hundred and forty-two. '(L.S.) *Richard Pakenham.*

'(L.S.) *Jose Maria Tornel.*

'And whereas the said Treaty and additional Article was ratified between Her Majesty the Queen of the 'United Kingdom of *Great Britain* and *Ireland* and the Republic of *Mexico*, and such Ratifications were 'exchanged at *London* on the Twenty-ninth Day of *July* in the Year One thousand eight hundred and 'forty-two: And whereas it is expedient and necessary that effectual Provision should be made for 'carrying into execution the Provisions of the said Treaty and Annexes, and additional Article:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the *Mexican* Republic, and who shall be duly instructed and authorized according to the Provisions of the said Treaty, and for any Officer not below the Rank of Lieutenant, unless he be at the Time Commander or second in Command of the searching Ship instructed and authorized as aforesaid, to visit and detain in any Seas, except within the Limits exempted by the Terms of the Fourth Article of the said Treaty, any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or having been fitted out for that Purpose, or having been engaged in such Traffic during the Voyage in which such Vessel is met, contrary to the Provisions of the said Treaty, and to send or carry away such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned; and all such Commanders and other Officers in the Exercise of such Rights shall comply with the several Provisions and Instructions of the said Treaty which apply thereto respectively.

Officers commanding Ships of Her Majesty or of the Mexican Republic, duly authorized and empowered to visit and search Merchant Ships of the Two Nations, within certain Limits.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects, which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by *British* or *Mexican* Vessels of War duly authorized for that Purpose, according to the Stipulations of the said Treaty, and subject to Adjudication, as herein-after mentioned.

British Ships suspected of being fitted out for Traffic in Slaves liable to Search, &c.

III. And be it declared and enacted, That if any of the Particulars specified in the Ninth Article of the said Treaty shall be found in the Outfit and Equipment of or on board of any such Merchant Vessel, wholly or in part owned by Subjects of Her Majesty, and visited and detained in pursuance of the said Treaty, such Vessel shall, unless Proof be given to the contrary, be held and taken to have engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

5 G. 4. c. 113.

IV. And be it enacted, That it shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice Admiralty in any Dominions of Her Majesty beyond the Seas, to take cognizance of and try any such *British* Vessel which shall be detained or captured within the Limits aforesaid under any such Order or Authority, and to condemn any such Vessel, and adjudge, as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice Admiralty.

The Trial of Vessels engaged in the Slave Trade.

V. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Treaty or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*; and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.*

Punishing Persons giving false Evidence.

VI. And be it enacted, That the Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves, taken, seized, or detained by virtue of the said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in bar, or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or any thing done under or in pursuance of the Provisions of the said Treaty.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

VII. And be it enacted, That any Ship or Vessel which shall be condemned under any such Authority as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral

Vessels condemned to be sold for Her

Majesty's Service or broken up.

Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts for the Benefit of the Two Governments of *Great Britain* and *Mexico*, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

VIII. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the Treaty or Articles herein-before mentioned, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized to make such Seizure under the Provisions of the said Treaty or Articles, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaty or Articles aforesaid, there shall be paid to the Captors the Portion of the net Proceeds to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty for Slaves captured.

IX. And be it enacted, That there shall be paid to the Commander, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the said Treaty a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board a *British* or *Mexican* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act; such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order, by any Order in Council, or by any Proclamation to be made for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

X. And be it enacted, That where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale, as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized, an additional Bounty to be paid.

XI. And be it enacted, That where any Ship or Vessel having no Slaves on board shall have been seized and condemned, under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained, to be certified by the Commissioners by whom such Condemnation shall be pronounced: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of the Consolidated Fund.

XII. And be it enacted, That all Bounties payable under this Act shall be paid, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the Provisions of any such Treaties or Conventions; and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

XIII. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

XIV. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Commissioners of the Treasury.

XV. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money on Slaves the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XVI. And be it enacted, That where any Slaves, or Persons treated as Slaves, shall be seized on board any *British* or *Mexican* Ship or Vessel taken and condemned in pursuance of the said Treaty and of this Act, but who shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to Court of Admiralty.

XVII. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *British* or *Mexican* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful

lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations and Penalties respecting Prize Agents Accounts extended.

XVIII. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed, under the Provisions of this Act, to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Commissioners of the Treasury may order Payment of Costs awarded for Vessels of Her Majesty detained but not condemned.

XIX. And be it enacted, That where any Ship or Vessel belonging in whole or in part to Subjects of the *Mexican* Republic shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, and the said Ship shall be restored by Sentence of the Court, as is mentioned in the Fifth and Sixth Articles of the Annex (B.) to the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, of any Costs or Damages which may be duly awarded according to the Provisions of the said last-mentioned Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expences incurred by him.

XX. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, of such Costs and Expences as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

No Compensation to be made when any Articles specified in the Treaty are found.

XXI. Provided always, and be it enacted, That if any of the Things specified in the Ninth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the Tribunals before mentioned, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although such Tribunal should not pronounce any Sentence of Condemnation.

CAP. LII.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of *Chile* for the Abolition of the Traffic in Slaves. [10th *August* 1843.]

'WHEREAS on the Nineteenth Day of *January* in the Year of our Lord One thousand eight hundred and thirty-nine a Treaty was concluded and signed at *Santiago*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Chile*, for the Abolition of the Traffic in Slaves, whereby it was agreed as follows:—

'ARTICLE I.—The Slave Trade having been constitutionally abolished throughout the Territories of the *Chilian* Republic is hereby declared to be henceforward totally prohibited to all the Citizens of the said Republic in all Parts of the World.

'ARTICLE II.—The President of the Republic of *Chile* especially engages, within the Space of Two Months after the Exchange of the Ratifications, should the ordinary Congress then be in Session, or within Two Months after the first subsequent ordinary Meeting of the said Congress, to promulgate a Law imposing the Punishment attached to Piracy on all *Chilian* Citizens who shall, under any Colour or Pretext, take any Part whatever in the Traffic of Slaves; and he in like Manner engages to adopt, from Time to Time as may become needful, the most effectual Measures for preventing the Citizens of the said Republic of *Chile* from being concerned, and the Flag of that Republic from being used, in carrying on in any way the Traffic in Slaves.

'ARTICLE III.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the President of the Republic of *Chile* hereby mutually engage, that, by an additional Convention hereafter to be concluded between the said High Contracting Parties to the present Treaty, they will concert and settle the Details of the Measures by which the Law of Piracy, which will become applicable to that Traffic by the Legislation of each of the Two Countries, shall be immediately and reciprocally carried into execution with respect to the Vessels and Subjects or Citizens of each.

'ARTICLE IV.—In order more completely to carry into effect the Spirit of the present Treaty the Two High Contracting Parties mutually consent that those Ships of their Navies respectively which shall be provided with special Instructions for that Purpose, as herein-after mentioned, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, of being engaged in the Traffic in Slaves, or of having been fitted out for the Purposes thereof, or of having, during the Voyage in which they are met by the said Cruisers, been engaged in the Traffic in Slaves, contrary to the Provisions of this Treaty; and that such Cruisers may detain and send or carry away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

'ARTICLE V.—In order to regulate the Mode of carrying the Provisions of the preceding Article 'into execution it is agreed,—

'First,—That all Ships of the Navies of the Two Nations which shall be hereafter employed to 'prevent the Traffic in Slaves shall be furnished by their respective Governments with a Copy, 'in the *English* and *Spanish* Languages, of the present Treaty, of the Instructions for Cruisers 'annexed thereto, *sub literâ* (A.), and of the Regulations for the Mixed Courts of Justice annexed 'thereto, *sub literâ* (B.), which Annexes shall be considered as an integral Part of the Treaty:

'Secondly,—That each of the High Contracting Parties shall from Time to Time communicate 'to the other the Names of the several Ships furnished with such Instructions, the Force of each 'Ship, and the Names of their several Commanders:

'Thirdly,—That if at any Time there shall be just Cause to suspect that any Merchant Vessel, 'sailing under the Flag of either Nation, and proceeding under the Convoy of any Ship or Ships 'of War of either of the Contracting Parties, is engaged or is intended to be engaged in the 'Traffic in Slaves, or is fitted out for the Purposes thereof, or has, during the Voyage on which 'she may be met with, been engaged in the Traffic in Slaves, it shall be lawful for the Commander 'of any Ship of the Navy of either of the Two High Contracting Parties, furnished with such 'Instructions as aforesaid, to visit such Merchant Vessel; and such Commander shall proceed to 'visit the same, in communication with the Commanding Officer of the Convoy, who it is hereby 'agreed shall give every Facility to the Visit, and to the eventual Detention, of such Merchant 'Vessel, and in all Things shall assist to the utmost of his Power in the due Execution of the present 'Treaty, according to the true Intent and Meaning thereof:

'Fourthly,—It is further mutually agreed, that the Commanders of the Ships of the Two 'Navies respectively who shall be employed on this Service shall adhere strictly to the exact 'Tenor of the aforesaid Instructions.

'ARTICLE VI.—As the Two preceding Articles are entirely reciprocal, the Two High Contracting 'Parties engage mutually to make good any Losses which their respective Subjects or Citizens may 'incur by the arbitrary and illegal Detention of their Vessels, it being understood that this 'Indemnity shall invariably be borne by the Government, whose Cruiser shall have been guilty 'of such arbitrary and illegal Detention, and that the Visit and Detention of Vessels, specified in 'Article IV. of this Treaty, shall only be effected by those *British* or *Chilian* Ships which may 'form Part of the Navies (Royal and National) respectively of the Two High Contracting Parties 'to the Treaty, and such Ships only of those Navies as shall be provided with the special Instruction 'annexed to the present Treaty, in pursuance of the Provisions thereof.

'The Compensation for Damages, of which this Article treats, shall be made within the Term 'of One Year, reckoned from the Day on which the Mixed Court of Justice pronounces Sentence 'on the Vessel for the Detention of which such Compensation is claimed.

'ARTICLE VII.—In order to bring to Adjudication with as little Delay and Inconvenience as 'possible the Vessels which may be detained according to the Tenor of Article IV. of this Treaty, 'there shall be established, within the Space of a Year at furthest from the Exchange of the Rati- 'fications of the present Treaty, Two Mixed Courts of Justice, formed of an equal Number of 'Individuals of the Two Nations named for this Purpose by the Two High Contracting Parties 'especially.

'These Courts shall reside, one in a Possession belonging to Her *Britannic* Majesty, the other 'within the Territories of the Republic of *Chile*; and the Two Governments, at the Period of the 'Exchange of the Ratifications of the present Treaty, shall declare, each for its own Territories, 'in what Places the Courts shall respectively reside; each of the Two High Contracting Parties 'reserving to itself the Right of changing at its Pleasure the Place of Residence of the Court held 'within its own Territories; provided, however, that one of the Two Courts shall always be held 'upon the Coast of *Africa*, and the other in one of the Possessions of the Republic of *Chile*.

'These Courts shall judge the Causes submitted to them according to the Provisions of the 'present Treaty, without Appeal, and according to the Regulations and Instructions which are 'annexed to the present Treaty, and which are considered as forming an integral Part thereof.

'ARTICLE VIII.—If the Commanding Officer of any of the Ships of the Navies of *Great Britain* 'and of *Chile* respectively, duly commissioned according to the Provisions of Article IV. of this 'Treaty, shall deviate in any respect from the Stipulations of the said Treaty, or from the Instruc- 'tions annexed to it, the Government which shall conceive itself to be wronged thereby shall be 'entitled to demand Reparation; and in such Case the Government to which such Commanding 'Officer may belong binds itself to cause Inquiry to be made into the Subject of the Complaint, 'and to inflict upon the said Officer a Punishment proportioned to any wilful Transgression which 'he may have committed.

'ARTICLE IX.—It is hereby further mutually agreed, that every Merchant Vessel, *British* or '*Chilian*, which shall be visited by virtue of the present Treaty, may lawfully be detained and 'be sent or brought before the Mixed Courts of Justice established in pursuance of the Provisions 'thereof, if in her Equipment there shall be found any of the Things herein-after mentioned; 'namely,

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

. . . 'Secondly,

'Secondly,—Divisions or Bulkheads in the Hold, or on Deck, in a greater Number than 'are necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Plank fitted for being laid down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Consumption of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House at the Place from which he 'cleared outwards, stating that a sufficient Security had been given by the Owners of such 'Merchant Vessel that such extra Quantity of Casks or other Vessels should only be used for the Reception of Palm Oil, or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler of an unusual Size, and larger, or fitted for being made larger, than 'requisite for the Use of the Crew of the Vessel as a Merchant Vessel, or more than One Boiler 'of the ordinary Size.

'Ninthly,—An extraordinary Quantity either of Rice, of the Flour of Brazil, Manioc or Cassada, 'commonly called Farina, of Maize or Indian Corn, or of any other Article of Food whatever, 'beyond what might probably be required for the Use of the Crew, such Rice, Flour, Maize, 'Indian Corn, or other Article of Food not being entered on the Manifest as Part of the Cargo 'for Trade.

'Tenthly,—A Quantity of Mats or Matting greater than is necessary for the Use of the Crew 'of the Vessel as a Merchant Vessel.

'Any One or more of these several Things, if proved, shall be considered as *primâ facie* Evidence 'of the actual Employment of the Vessel in the Slave Trade; and the Vessel shall thereupon be 'condemned, and be declared lawful Prize, unless clear and incontestable Evidence on the Part of 'the Master or Owners shall establish, to the Satisfaction of the Court, that such Vessel was, at the 'Time of her Detention or Capture, employed in some legal Pursuit, and that such of the several 'Things above enumerated as were found on board her at the Time of her Detention, or had been 'put on board on the Voyage on which the Vessel when captured was proceeding, were needed for 'legal Purposes on that particular Voyage.

'ARTICLE X.—If any of the Things specified in the preceding Article shall be found in any 'Merchant Vessel, no Compensation for Losses, Damages, or Expences consequent upon the 'Detention of such Vessel shall in any Case be granted either to her Master or to her Owner, 'or to any other Person interested in her Equipment or Lading, even though the Mixed Court of 'Justice should not pronounce any Sentence of Condemnation in consequence of her Detention, the 'Intention of the Two High Contracting Parties in agreeing to this Stipulation being to discourage, 'by all the Means at their Disposal, the Embarkation of Stores of the Class enumerated in the fore-'going Article, under any Pretext, or for whatever Purpose they may be intended, and which, 'though discovered on board of a Vessel not actually engaged or to be employed in the Traffic in 'Slaves, may be surreptitiously converted to the Furtherance of the iniquitous Designs of those who 'are, or may hereafter be so, in contravention of the Provisions of this Treaty.

'ARTICLE XI.—It is hereby agreed between the Two High Contracting Parties, that in all Cases in 'which a Vessel shall be detained under this Treaty by their respective Cruisers, as having been 'engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and shall 'consequently be adjudged and condemned by the Mixed Courts of Justice to be established as 'aforesaid, the said Vessel shall, immediately after its Condemnation, be broken up entirely, and 'shall be sold in separate Parts after having been so broken up.

'ARTICLE XII.—The Negroes who are found on board of a Vessel detained by a Cruiser, and 'condemned by the Mixed Courts of Justice in conformity with the Stipulations of this Treaty, 'shall be placed at the Disposition of the Government whose Cruiser has made the Capture, on 'the distinct Understanding that they shall be immediately set at liberty and kept free, the Govern-'ment to which they have been delivered guaranteeing the same, and likewise engaging to afford 'from Time to Time, and whenever demanded by the other High Contracting Party, the fullest 'Information as to the State and Condition of such Negroes, with a view of insuring the due 'Execution of the Treaty in this respect.

'For this Purpose the Regulations annexed to this Treaty, *sub literâ* (C.), as to the Treatment of 'Negroes liberated by Sentence of the Mixed Courts of Justice, have been drawn up, and are 'declared to form an integral Part of this Treaty; the Two High Contracting Parties reserve to 'themselves the Right to alter or suspend, by common Consent and mutual Agreement, but not 'otherwise, the Terms and Tenor of such Regulations.

'ARTICLE XIII.—The Acts or Instruments annexed to this Treaty, and which it is mutually 'agreed shall form an integral Part thereof, are as follows:

'(A.) Instructions for the Ships of the Navies of both Nations destined to prevent the Traffic 'in Slaves.

'(B.) Re-

'(B.) Regulations for the Mixed Courts of Justice, which are to hold their Sittings on 'the Coast of *Africa*, and in one of the Possessions of the Republic of *Chile*.

'(C.) Regulations as to the Treatment of liberated Negroes.

'ARTICLE XIV.—The present Treaty, consisting of Fourteen Articles, shall be ratified, and the 'Ratifications thereof exchanged at *Santiago*, as soon as possible within the Space of Twelve Months 'from this Date.

'In witness whereof, the respective Plenipotentiaries have signed, in triplicate Originals, *English* 'and *Spanish*, the present Treaty, and have hereunto affixed the Seal of their Arms.

'Done at *Santiago de Chile*, this Nineteenth Day of *January* in the Year of our Lord One 'thousand eight hundred and thirty-nine.

'(L.S.) *John Walpole.*
'(L.S.) *Joaquin Tocornal.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of CHILE, for the ABOLITION of the 'TRAFFIC in SLAVES.

'*Instructions for the Ships of the British and Chilian Navies employed to prevent the Traffic in 'Slaves.*

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty 'or of the Republic of *Chile* which shall be furnished with these Instructions, shall have a Right 'to visit, search, and detain any *British* or *Chilian* Merchant Vessel which shall be actually engaged 'or which shall be suspected to be engaged in the Slave Trade, or to be fitted out for the Purposes 'thereof, or to have been engaged in the Traffic in Slaves during the Voyage in which she may be 'met with by such Ship of the *British* or *Chilian* Navy; and such Commander shall thereupon bring 'or send such Merchant Vessel as soon as possible for Judgment before that one of the Two Mixed 'Courts of Justice, established in virtue of Article VII. of the said Treaty, which shall be the nearest 'to the Place of Detention, or which such Commander shall upon his own Responsibility think 'can be soonest reached from such Place.

'ARTICLE II.—Whenever a Ship of either of the said Navies, duly authorized as aforesaid, 'shall meet a Merchantman liable to be visited under the Provisions of the said Treaty, the Search 'shall be conducted in the mildest Manner, and with every Attention which ought to be observed 'between allied and friendly Nations; and the Search shall in all Cases be made by an Officer holding 'a Rank not lower than that of Lieutenant in the Navy of *Great Britain* or *Chile* respectively '(unless the Command shall, by reason of Death or otherwise, be held by an Officer of inferior 'Rank), or by the Officer who at the Time shall be second in Command of the Ship by which 'such Search is made.

'ARTICLE III.—The Commander of any Ship of the Two Navies, duly authorized as aforesaid, 'who may detain any Merchant Vessel in pursuance of the Tenor of the present Instructions, shall 'leave on board the Vessel so detained the Master, the Mate or Boatswain, and Two or Three at 'least of the Crew thereof, the whole of the Slaves (if any), and all the Cargo.

'The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, which 'shall exhibit the State in which he found the detained Vessel, such Declaration to be signed by 'himself, and to be given in or sent together with the captured Vessel to the Mixed Court of 'Justice before which such Vessel shall be carried or sent for Adjudication.

'He shall deliver to the Master of the detained Vessel a certified List of the Papers seized on 'board the same, as well as of the Number of Slaves found on board at the Moment of Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as well as in 'the certified List of the Papers seized, he shall insert his own Name, the Name of the capturing 'Ship, the Latitude and Longitude of the Place where the Detention shall have taken place, and 'the Number of Slaves found on board the Vessel at the Time of the Detention.

'The Officer in charge of the Vessel detained shall, at the Time of his bringing the Vessel's 'Papers into the Mixed Court of Justice, deliver into the Court a Paper, signed by himself, and 'verified on Oath, stating any Changes which may have taken place in respect to the Vessel, her 'Crew, the Slaves (if any), and her Cargo, between the Period of her Detention and the Time of 'delivering in such Paper.

'ARTICLE IV.—The Slaves shall not be disembarked till after the Vessel which contains them 'shall have arrived at the Place of Adjudication, in order that in the event of the Vessel not being 'adjudged legal Prize the Loss of the Proprietors may be more easily repaired; and even after 'the Slaves have arrived at such Place they are not to be landed without the Permission of the Mixed 'Court of Justice.

'But if the urgent Reasons, deduced from the Length of the Voyage, from the State of Health of 'the Slaves, or from other Causes, should require that either the Whole or a Portion of the 'Negroes should be disembarked before the Vessel can arrive at the Place at which one of the 'said Courts is established, the Commander of the capturing Ship may take upon himself the Respon- 'sibility of so disembarking the Negroes; provided that such Necessity and the Causes thereof be 'stated in a Certificate in proper Form, and that this Certificate be entered at the Time on the Log 'Book of the detained Vessel.

'The

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIII. of the Treaty 'signed by them on this Day, the Nineteenth of *January* One thousand eight hundred and thirty-'nine, that the preceding Instructions, consisting of Four Articles, shall be annexed to the said 'Treaty, and be considered as an integral Part thereof.

'The Nineteenth Day of *January* One thousand eight hundred and thirty-nine.

'(L.S.) *John Walpole.*
'(L.S.) *Joaquin Tocornal.*

'ANNEX (B.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of CHILE, for the ABOLITION of the 'TRAFFIC in SLAVES.

'*Regulations for the Mixed Courts of Justice which are to reside on the Coast of Africa, and in the 'Possessions of the Republic of Chile.*

'ARTICLE I.—The Mixed Courts of Justice to be established under the Provisions of the 'Treaty, of which these Regulations are declared to be an integral Part, shall be composed in 'the following Manner:—Each of the Two High Contracting Parties shall name a Judge and an 'Arbitrator, who shall be authorized to hear and to decide, without Appeal, all Cases of the Capture 'or Detention of Vessels which, in pursuance of the Stipulations of the aforesaid Treaty, shall be 'brought before them; the Judges and the Arbitrators shall, before entering upon the Duties of their 'Office, respectively make Oath before the principal Magistrate of the Places in which such 'Courts respectively shall reside, that they will judge fairly and faithfully, that they will have no 'Preference either for the Claimants or the Captors, and that they will act in all their Decisions 'in pursuance of the Stipulations of the aforesaid Treaty.

'There shall be attached to each of such Courts a Secretary or Registrar, who shall be appointed 'by the Government of the Country within the Territories of which such Court shall reside. Such 'Secretary or Registrar shall register all the Acts of such Court, and shall, before he enters upon 'his Office, make Oath before the Court to which he is appointed, that he will conduct himself with 'due Respect for his Authority, and will act with Fidelity and Impartiality in all Matters relating to 'his said Office.

'The Salary of the Secretary or Registrar of the Court to be established on the Coast of *Africa* 'shall be paid by Her *Britannic* Majesty, and that of the Secretary or Registrar of the Court to 'be established in the Possessions of the Republic of *Chile* shall be paid by the Government of 'that Republic.

'Each of the Governments shall defray Half of the aggregate Amount of the incidental Expences 'of such Courts.

'ARTICLE II.—The Expences incurred by the Officer charged with the Reception, Maintenance, 'and Care of the detained Vessel, Slaves, and Cargo, and with the Execution of the Sentence, and 'all Disbursements occasioned by bringing a Vessel to Adjudication, shall, in case of Condemnation, 'be defrayed from the Funds arising from the Sale of the Materials of the broken up Vessel, of 'the Ship's Stores, and of such Parts of the Cargo as shall consist of Merchandize; and in case the 'Proceeds arising from this Sale should not prove sufficient to defray such Expences, the Deficiency 'shall be made good by the Government of the Country within whose Territories the Adjudication 'shall have taken place.

'If the detained Vessel shall be released, the Expences occasioned by bringing her to Adjudication 'shall be defrayed by the Captor, excepting in the Cases specified and otherwise provided for under 'Article X. of the Treaty to which these Regulations form an Annex, and under Article VII. of 'these Regulations.

'ARTICLE III.—The Mixed Courts of Justice are to decide upon the Legality of the Detention 'of such Vessels as the Cruisers of either Nation shall, in pursuance of the said Treaty, detain.

'The Courts shall judge definitively, and without Appeal, all Questions which shall arise out of 'the Capture and Detention of such Vessels.

'The Proceedings of these Courts shall take place with as little Delay as possible, and for this 'Purpose the Courts are required to decide each Case, so far as may be practicable, within the 'Space of Twenty Days, to be dated from the Day on which the detained Vessel shall have been 'brought into the Port where the deciding Court shall reside.

'The final Sentence shall not in any Case be delayed beyond the Period of Two Months, either on 'account of the Absence of Witnesses or for any other Cause, except upon the Application of any 'of the Parties interested, in which Case, upon such Party or Parties giving satisfactory Security 'that they will take upon themselves the Expence and Risks of the Delay, the Courts may, at 'their Discretion, grant an additional Delay, not exceeding Four Months. Either Party shall be 'allowed to employ such Counsel as he may think fit, to assist him in the Conduct of his Cause.

'All the essential Parts of the Proceedings of the said Courts shall be written down in the 'Language of the Country in which the Courts shall respectively reside.

'ARTICLE IV.—The Form of the Process shall be as follows:—The Judges appointed by the 'Two Nations respectively shall, in the first place, proceed to examine the Papers of the detained 'Vessel, and to take the Depositions of the Master or Commander, and of Two or Three at least of

'the

'the principal Individuals on board such Vessel, as well as the Declaration on Oath of the Captor, 'should such Declaration appear necessary to enable them to judge and to pronounce whether the 'said Vessel has been justly detained or not, according to the Stipulations of the aforesaid Treaty, 'so that according to the Judgment pronounced the Vessel may be condemned or released.

'In the event of the Two Judges not agreeing as to the Sentence which they ought to pronounce, 'in any Case brought before them, either with respect to the Legality of the Detention, the Liability 'of the Vessel to Condemnation, or the Compensation to be allowed, or as to any other Question 'which may arise out of the said Capture, or if any Difference of Opinion should arise between 'them as to the Mode of Proceeding in the said Court, they shall draw by Lot the Name of One 'of the Two Arbitrators appointed as aforesaid, which Arbitrator, after having considered the 'Proceedings which have taken place, shall consult with the Two above-mentioned Judges, and the 'final Sentence or Decision shall be pronounced conformably to the Opinion of the Majority of the 'Three.

'ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Court, the Vessel 'and the Cargo, in the State in which they shall then be found, shall forthwith be given up to the 'Master, or to the Person who represents him; and such Master or other Person may, before the 'same Court, claim to have a Valuation made, in order to ascertain the Amount of the Damages to 'which he shall be entitled. The Captor himself, and in his Default his Government, shall remain 'responsible for the Damages which may definitively be pronounced to be due to the Master of 'such Vessel, or to the Owners of the Vessel or of her Cargo.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from 'the Date of the Sentence, the Costs and Damages which may be awarded by the above-named 'Court; it being mutually understood and agreed, that such Costs and Damages shall be made 'good by the Government of the Country of which the Captor shall be a Subject or Citizen.

'ARTICLE VI.—If the detained Vessel shall be condemned, she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, with the Exception of the Slaves 'who shall have been brought on board for the Purposes of Commerce; and the said Vessel, in 'conformity with the Regulations in Article IX. of the Treaty of this Date, shall, as well as her 'Cargo, be sold by public Sale, for the Profit of the Two Governments, subject to the Payment of 'the Expences herein-before mentioned.

'The Slaves shall receive from the Court a Certificate of Emancipation, and shall be delivered 'over to the Government to whom belongs the Cruiser which made the Capture, to be dealt with 'according to the Regulations and Conditions contained in the Annex to this Treaty, *sub literâ* (C.)

'The Charges incurred for the Support and for the Return Voyage of the Commanders and Crews 'of condemned Vessels shall be defrayed by the Government of which such Commanders and Crews 'are the Subjects or Citizens.

'ARTICLE VII.—The Mixed Courts of Justice shall also take cognizance of, and shall decide 'definitively, and without Appeal, all Claims for Compensation on account of Losses occasioned to 'Vessels and Cargoes detained under the Provisions of this Treaty, but which shall not have been 'condemned as legal Prize by the said Courts; and in all Cases wherein Restitution of such Vessels 'and Cargoes shall be decreed (save as mentioned in Article X. of the Treaty to which these 'Regulations form an Annex, and in a subsequent Part of these Regulations), the Court shall 'award to the Claimant or Claimants, or to his or their lawful Attorney or Attornies, for his or their 'Use, a just and complete Indemnification for all Costs of Suit, and for all Losses and Damages 'which the Owner or Owners may have actually sustained by such Capture and Detention; (that 'is to say,)

'First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(a) For the Ship, her Tackle, Equipment, and Stores.

'(b) For all Freights due and payable.

'(c) For the Value of the Cargo of Merchandize, if any, deducting all Charges and Expences 'payable upon the Sale of such Cargo, including Commission of Sale.

'(d) For all other regular Charges in such Case of total Loss.

'Secondly,—In all other Cases, not of total Loss, save as herein-after mentioned, the Claimant 'or Claimants shall be indemnified,—

'(a) For all special Damages and Expences occasioned to the Ship by the Detention, and 'for Loss of Freight when due or payable.

'(b) For Demurrage, according to the Schedule annexed to the present Article.

'(c) For any Deterioration of the Cargo.

'(d) For all Premium of Insurance on additional Risks.

'Further,—The Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum* '*per Annum* on the Sum awarded, until such Sum is paid by the Government to which the capturing 'Ship belongs. The whole Amount of such Indemnification shall be calculated in the Money of 'the Country to which the detained Vessel belongs, and shall be paid at the Rate of Exchange 'current at the Time of the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the Satis- 'faction of the Judges of the Two Nations, and without Recourse to the Decision of an Arbitrator, 'that the Captor has been led into Error by the Fault of the Master or Commander of the

'detained

'detained Vessel, the detained Vessel in that Case shall not have the Right of receiving for the 'Time of her Detention the Demurrage stipulated by the present Article, nor any other Compensation 'for Losses, Damages, or Expences consequent upon such Detention.

'SCHEDULE of Demurrage or daily Allowance for a Vessel of

'100 Tons	to	120	inclusive	-	-	£ 5 *per Diem*.
'121 „		150	„	-	-	6 „
'151 „		170	„	-	-	8 „
'171 „		200	„	-	-	10 „
'201 „		220	„	-	-	11 „
'221 „		250	„	-	-	12 „
'251 „		270	„	-	-	14 „
'271 „		300	„	-	-	15 „

'And so in proportion.

'ARTICLE VIII.—Neither the Judges, nor the Arbitrators, nor the Secretaries of the Mixed 'Courts of Justice, shall demand or receive from any of the Parties concerned in the Cases which 'shall be brought before such Courts any Emolument or Gift, under any Pretext whatsoever, for 'the Performance of the Duties which such Judges, Arbitrators, and Secretaries have to perform.

'ARTICLE IX.—The Two High Contracting Parties have agreed, that in the event of the Death, 'Sickness, Absence on Leave, or other legal Impediment of One or more of the Judges or 'Arbitrators composing the above-mentioned Courts respectively, the Post of such Judge or of 'such Arbitrator shall be supplied *ad interim* in the following Manner:—

'First,—On the Part of Her *Britannic* Majesty, and in that Court which shall sit within the 'Possessions of Her said Majesty, if the Vacancy be that of the *British* Judge, his Place shall be 'filled by the *British* Arbitrator; and either in that Case, or if the Vacancy be originally that of 'the *British* Arbitrator, the Place of such Arbitrator shall be filled successively by the Governor 'or Lieutenant Governor resident in such Possession, by the principal Magistrate of the same, 'and by the Secretary of the Government; and the said Court so constituted as above shall sit, 'and in all Cases brought before them for Adjudication shall proceed to adjudge the same, and to 'pass Sentence accordingly.

'Secondly,—On the Part of *Great Britain*, and in that Court which shall sit within the 'Possessions of the Republic of *Chile*, if the Vacancy be that of the *British* Judge, his Place 'shall be filled by the *British* Arbitrator; and either in that Case, or if the Vacancy be originally 'that of the *British* Arbitrator, the Place of *British* Arbitrator shall be filled successively by the '*British* Consul and *British* Vice Consul, if there be a *British* Consul or *British* Vice Consul 'appointed to and resident in such Possession; and if the Vacancy be both of the *British* Judge 'and of the *British* Arbitrator, then the Vacancy of the *British* Judge shall be filled by the *British* 'Consul, and that of the *British* Arbitrator by the *British* Vice Consul, if there be a *British* 'Consul and a *British* Vice Consul appointed to and resident in such Possession; and if there 'shall be no *British* Consul or *British* Vice Consul to fill the Place of *British* Arbitrator, then the '*Chilian* Arbitrator shall be called in in those Cases in which a *British* Arbitrator (if there 'were any) would be called in; and in case the Vacancy be both of the *British* Judge and *British* 'Arbitrator, and there be neither *British* Consul nor *British* Vice Consul to fill *ad interim* the 'Vacancies, then the *Chilian* Judge and the *Chilian* Arbitrator shall sit, and in all Cases brought 'before them for Adjudication shall proceed to adjudge the same, and pass Sentence accordingly.

'Thirdly,—On the Part of the Republic of *Chile*, and in that Court which shall sit within the 'Territories of the said Republic, if the Vacancy be that of the *Chilian* Judge, his Place shall 'be filled by the *Chilian* Arbitrator; and either in that Case, or if the Vacancy be originally 'that of the *Chilian* Arbitrator, the Place of such *Chilian* Arbitrator shall be filled by the 'Intendant Governor of the Province in which the said Tribunal may reside, or by the Military 'Governor of *Valparaiso* if the Tribunal should reside in *Valparaiso*; and the said Court, so 'constituted as above, shall sit, and in all Cases brought before them for Adjudication shall 'proceed to adjudge the same, and pass Sentence accordingly.

'Fourthly,—On the Part of *Chile*, and in that Court which shall sit within the Possessions 'of Her *Britannic* Majesty, if the Vacancy be that of the *Chilian* Judge, his Place shall be 'filled by the *Chilian* Arbitrator; and either in that Case, or if the Vacancy be originally that of 'the *Chilian* Arbitrator, the Place of *Chilian* Arbitrator shall be filled successively by the *Chilian* 'Consul and *Chilian* Vice Consul, if there be a *Chilian* Consul or Vice Consul appointed to and 'resident in such Possession; and if the Vacancy be both of the *Chilian* Judge and of the '*Chilian* Arbitrator, then the Vacancy of the *Chilian* Judge shall be filled by the *Chilian* 'Consul, and that of the *Chilian* Arbitrator by the *Chilian* Vice Consul, if there be a *Chilian* 'Consul and a *Chilian* Vice Consul appointed to and resident in such Possession; and in the Case 'in which there be no *Chilian* Consul or Vice Consul to fill the Place of *Chilian* Arbitrator, 'then the *British* Arbitrator shall be called in those Cases in which a *Chilian* Arbitrator would 'be called in; and in case the Vacancy be both of the *Chilian* Judge and *Chilian* Arbitrator, 'and there be neither *Chilian* Consul nor *Chilian* Vice Consul to fill *ad interim* the Vacancies, 'then the *British* Judge and *British* Arbitrator shall sit, and in all Cases brought before them 'for Adjudication shall proceed to adjudge the same, and pass Sentence accordingly.

'The highest Civil Authority of the Settlement wherein either of the Mixed Courts of Justice 'shall sit shall, in the event of a Vacancy arising either of the Judge or the Arbitrator of the 'other High Contracting Party, forthwith give Notice of the same to the highest Civil Authority 'of the nearest Settlement of such other High Contracting Party, in order that such Vacancy 'may be supplied at the earliest possible Period; and each of the High Contracting Parties 'agrees to supply definitively, as soon as possible, the Vacancies which may arise in the above-'mentioned Courts from Death, or from any other Cause whatever.

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIII. of the Treaty 'signed by them on this Day, the Nineteenth of *January* One thousand eight hundred and thirty-'nine, that the preceding Regulations, consisting of Nine Articles, shall be annexed to the said 'Treaty, and considered as an integral Part thereof.

'The Nineteenth Day of *January* One thousand eight hundred and thirty-nine.

'(L.S.) *John Walpole.*
'(L.S.) *Joaquin Tocornal.*

'ANNEX (C.)

'To the TREATY between GREAT BRITAIN and the REPUBLIC of CHILE for the ABOLITION of the 'TRAFFIC in SLAVES.

'*Regulations for the good Treatment of liberated Negroes.*

'ARTICLE I.—The Object and Spirit of these Regulations is, to secure to Negroes liberated by 'virtue of the Stipulations of the Treaty to which these Regulations form an Annex, marked (C.), 'permanent good Treatment, and full and complete Freedom, in conformity with the humane Inten-'tions of the High Contracting Parties.

'ARTICLE II.—Immediately after Sentence of Condemnation shall have been passed by a Mixed 'Court of Justice established under the Treaty to which these Regulations form an Annex, on a 'Vessel charged with being concerned in illegal Slave Trade, all Negroes who were on board such 'Vessel, and who were brought on board for the Purpose of Traffic, shall be delivered over to the 'Government to whom belongs the Cruiser which made the Capture.

'ARTICLE III.—If the Cruiser which made the Capture is *British*, the *British* Government 'engages that the Negroes shall be treated in exact Conformity with the Laws in force in the *British* 'Colonies for the Regulation of free or of emancipated Negroes.

'ARTICLE IV.—If the Cruiser which made the Capture is *Chilian*, then the Negroes shall be 'delivered over to the *Chilian* Authorities of that Place in the Dominions of *Chile* in which the 'Mixed Court of Justice is established; and the *Chilian* Government solemnly engages that such 'Negroes shall there be treated strictly according to the Regulations actually in force in *Chile* with 'respect to free Negroes, or according to such Regulations as may in future be established in *Chile* 'in this respect, and which Regulations shall always have in view the humane Object of securing 'honestly and faithfully to emancipated Negroes the unmolested Enjoyment of their Liberty, good 'Treatment, a Knowledge of the Tenets of the Christian Religion, Advancement in Morality and 'Civilization, and sufficient Instruction in the mechanical Arts in order that the said emancipated 'Negroes may be enabled to earn their own Subsistence, whether as Artizans, Mechanics, or 'Servants.

'ARTICLE V.—For the Purpose which is explained in Article VI. there shall be kept in the Office 'of the Governor of the Part of the Possessions of the Republic of *Chile* where the Mixed Court of 'Justice resides, a Register of all emancipated Negroes, in which shall be entered with scrupulous 'Exactness the Names given to the Negroes, the Names of the Vessels in which they were captured, 'the Names of the Persons to whose Care they have been committed, and any other Circumstances 'likely to contribute to the End in view.

'ARTICLE VI.—The Register to which the preceding Article refers will serve to form a general 'Return, which the Governor of that Part of the Possessions of the Republic of *Chile* where the 'Mixed Court of Justice resides shall be bound to deliver every Six Months to the aforesaid Mixed 'Commission, in order to show the Existence of the Negroes emancipated under this Treaty, the 'Improvement made in their Condition, and the Progress made in their religious and moral Instruc-'tion, and in the Arts of Life. The aforesaid Return shall also specify the Names and Descriptions 'of such of the emancipated Negroes as shall have died during the Period for which the Return is 'made up.

'ARTICLE VII.—The High Contracting Parties agree, that if in future it should appear necessary 'to adopt new Measures, in consequence of those laid down in this Annex turning out inefficacious, 'the said High Contracting Parties will consult together, and will agree upon other Means better 'adapted for the complete Attainment of the Objects proposed.

'ARTICLE VIII.—The undersigned Plenipotentiaries have agreed, in conformity with Article XIV. 'of the Treaty signed by them on this Day, the Nineteenth of *January* One thousand eight hundred 'and thirty-nine, that this Annex, consisting of Eight Articles, shall be united to the said Treaty, 'and be considered an integral Part thereof. The Nineteenth Day of *January* One thousand eight 'hundred and thirty-nine.

'(L.S.) *John Walpole.*
'(L.S.) *Joaquin Tocornal.*

'ARTICLES

'ARTICLES additional to the Treaty concluded this Nineteenth Day of *January* One thousand eight hundred and thirty-nine, between Her *Britannic* Majesty and the Republic of *Chile*, for the Suppression of the Slave Trade.

'ARTICLE I.—It is agreed and understood, that if there should be any Delay in appointing the Judge and the Arbitrator to be nominated on the Part of the Republic of *Chile* to act in each of the Mixed Courts of Justice to be established under this Treaty, or if those Officers, after being appointed, should at any Time be absent, then and in either of such Cases the Judge and Arbitrator appointed on the Part of Her *Britannic* Majesty, and present in the said Courts, shall, in the Absence of the *Chilian* Judge and Arbitrator, proceed to open the said Courts, and to adjudge such Cases as may be brought before them under the Treaty; and the Sentence pronounced upon such Cases by the said *British* Judge and Arbitrator shall have the same Force and Validity as if the Judge and the Arbitrator on the Part of *Chile* had been appointed and had been present and acting in the Mixed Courts in the Cases in question.

'ARTICLE II.—It is also agreed, notwithstanding the Provisions of the First Article of the Annex (B.), that so long as no *Chilian* Judge and Arbitrator are nominated it will be unnecessary for the Republic of *Chile* to nominate the Secretary or Actuary mentioned in the said Article; that in the meanwhile the Secretary or Actuary of the Court which may exist within the Territory of the Republic of *Chile* shall be named and paid by the Government of Her *Britannic* Majesty, and that the entire Expence of both the Courts to be established under this Treaty shall be borne by the Government of Her *Britannic* Majesty.

'The present additional Articles shall form an integral Part of the Treaty for the Suppression of Slave Trade signed this Day, and shall have the same Force and Validity as if they were inserted Word for Word in that Treaty, and shall be ratified within Twelve Months, or sooner if possible.

'Done at *Santiago de Chile*, this Nineteenth Day of *January* in the Year of our Lord One thousand eight hundred and thirty-nine.

'(L.S.) *John Walpole.*
'(L.S.) *Joaquin Tocornal.*

'And whereas the said Treaty was ratified between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Chile*, and such Ratification was exchanged on the Sixth Day of *August* One thousand eight hundred and forty-two: And whereas an additional and explanatory Convention was concluded at *Santiago* on the Seventh Day of *August* One thousand eight hundred and forty-one, as follows:

'ARTICLE I.—The Two High Contracting Parties recognize as valid and existing all the Obligations which it was their Intention respectively to contract by all and each of the Articles of the Treaty of the Nineteenth of *January* One thousand eight hundred and thirty-nine, to co-operate for the effectual and complete Abolition of the Slave Trade, and by all and each of the Articles of the Annexes marked (A.), (B.), and (C.), and by the Two separate additional Articles, which, as therein stipulated, ought and are to be considered as integral Parts of the above-mentioned Treaty, all in the same Manner as if the above-mentioned Treaty formed an integral Part of the present Convention, and was inserted Word for Word in it; saving, however, the Exceptions and Modifications which are hereafter expressed.

'ARTICLE II.—The Power which, by the Articles IV. and V. of the above-mentioned Treaty of the Nineteenth of *January* One thousand eight hundred and thirty-nine, is conceded to the Vessels of the Navies of the Two Nations which shall be employed in impeding the Traffic in Slaves, to visit the Merchant Vessels of both which may be found in the Case indicated in Article IV. already referred to, and in order that in consequence of the Visit they may proceed with respect to the Vessels and their Cargo, in accordance with the Instructions in Annex (A.), shall not be understood as yielded unless to be exercised solely and exclusively in the Places which are hereafter expressed; (that is to say,)

'First,—Along the Western Coast of *Africa* from the Fortieth Degree of South Latitude to the Twenty-fifth Degree of North Latitude, and to the Twenty-seventh Degree of West Longitude calculated from the Meridian of *Greenwich*.

'Second,—All round the Island of *Madagascar*, to the Extent of Twenty Leagues from that Island.

'Third,—The same Distance from the Coasts of the Island of *Cuba*.

'Fourth,—The same Distance from the Coasts of the Island of *Puerto Rico*; and

'Fifth,—The same Distance from the Coasts of *Brazil*.

'Nevertheless, if a Vessel of which Suspicion should be entertained, and which should have been chased whilst within the assigned Limits, should succeed in passing them, it may be searched, provided that it has not been lost Sight of during the Chase.

'ARTICLE III.—The before-mentioned Treaty and the present Convention shall be respectively ratified by Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, and by the President of the Republic of *Chile*; and the Ratifications of both shall be exchanged within One Year, reckoned from the Date of the present Convention, or sooner if possible.

'In faith of which the respective Plenipotentiaries have signed Three Copies of the present 'Convention in the *English* Language, and have sealed them with their Arms.

'Done in the City of *Santiago*, the Seventh Day of *August* in the Year of our Lord One 'thousand eight hundred and forty-one.

'(L.S.) *John Walpole.*

'(L.S.) *Ramon Luis Yrarrazaval.*

'And whereas the said additional and explanatory Convention was also ratified between Her Majesty 'the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *Chile*, and such 'Ratification was exchanged at *Santiago* on the Sixth Day of *August* in the Year One thousand eight 'hundred and forty-two: And whereas it is expedient and necessary that effectual Provision should be 'made for carrying into execution the Provisions of the said Treaty, and the Annexes thereto, and also 'the said additional and explanatory Convention:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the Republic of *Chile*, not below the Rank of Lieutenant of the Royal Navy, (unless the Command shall, by reason of Death or otherwise, be held by an Officer of inferior Rank,) or by the Officer who at the Time shall be Second in Command of the Ship, and who shall be duly instructed and authorized, according to the Provisions of the said Treaty, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and to detain and send or carry away such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Courts of Justice to be established in virtue of the Seventh Article of the said Treaty; and all such Commanders and other Officers in the Exercise of such Rights shall comply with the several Provisions and Instructions of the said Treaty which apply thereto respectively.

Officers commanding Ships of Her Majesty or of the Republic of Chile, being duly authorized and empowered, may visit and search Merchant Ships of either of the Two Nations within certain Limits.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects, which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by *British* or *Chilian* Vessels of War, duly authorized for that Purpose, according to the Stipulations of the said Treaty, and subject to Condemnation or other Judgment by the Judges and Arbitrators of the Mixed Courts to be appointed according to the Provisions of the said Treaty.

Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search and Detention.

III. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Judges and Arbitrators as are in and by the said Treaty mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices by appointing other Persons thereto, and to grant Salaries to such Judges and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Judges and Arbitrators shall be empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments and make such Orders therein, and do all other things appertaining thereto, agreeably to the Provisions of the said Treaty, as fully as if special Powers for that Purpose were inserted in this Act.

Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention.

IV. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint a Secretary or Registrar to each of the Mixed Courts which shall be established in Her Majesty's Dominions, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Office, and to grant a Salary to such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Secretary or Registrar shall be empowered to perform all the Duties of such Office set forth by the said Treaty, and to do all such Things as may be necessary for the due Discharge of the Duties of his said Office.

Her Majesty may appoint a Secretary or Registrar to the Mixed Court.

V. And be it enacted, That in case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Judge of either of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Judge *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Judge shall resume the Duties of his said Office; and that in case of such Vacancy of the Office of *British* Arbitrator of the Court established by virtue of the said Treaty in the Possessions of Her Majesty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Court, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate in the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty's Government, or until such Arbitrator shall resume the Duties of his said Office; and that in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Court established by virtue of the said Treaty within the Possessions of the Republic of *Chile*, or of his assuming *ad interim* the

In case of the Death or Incapacity from Illness of any British Judge of such Courts, or of the British Arbitrator.

the Duties of a Judge of the said Court as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Judge and *British* Arbitrator, then that such Office of Judge shall be filled by the *British* Consul, and such Office of *British* Arbitrator by the *British* Vice Consul; and in case there shall be no *British* Consul or Vice Consul at such Place, then that it shall be lawful for the *Chilian* Arbitrator to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Judge and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice Consul resident at such Place, then that it shall be lawful for the *Chilian* Judge and *Chilian* Arbitrator of such Court to sit alone in such Court; and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Judge and *British* Arbitrator shall resume the Duties of their said Offices respectively.

Judges and Arbitrators to take an Oath.

VI. And be it enacted, That every such Judge and Arbitrator so appointed by Her Majesty, before he shall enter upon the Execution of any of the Duties of such his Office, shall take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Court shall be established, whether belonging to Her *Britannic* Majesty or to the Republic of *Chile;* which Oath any such Magistrate shall be authorized to administer in the Form following; (that is to say,)

Form of Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, fairly, and without Preference or Favour, either for Claimants or Captors or any other Persons; and that I will, to the best of my Judgment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions contained in the Treaty between Her Majesty and the Republic of *Chile*, signed at on the in the Year One thousand eight hundred and .'

Secretary or Registrar to take an Oath.

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and of this Act, before he enters on the Duties of his said Office, shall take an Oath before one of the Judges of the said Court, who shall be empowered to administer the same, in the Form following; (that is to say,)

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office; and that I will conduct myself with Respect to the Authority of the Judges and Arbitrators of the Court to which I am attached, and will act with Fidelity in all the Affairs which may belong to my Charge, and without Preference or Favour either for Claimants or Captors or any other Persons.'

Judges and Arbitrators may administer Oaths.

VII. And be it enacted, That it shall be lawful for the said Judges or Arbitrators, or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the course of any Proceeding before the said Judges or Arbitrators under the said Treaty and this Act; and it shall also be lawful for the said Judges and Arbitrators to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the producing of all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do.

Punishing Persons giving false Evidence.

VIII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding before the Judges or Arbitrators aforesaid under the said Treaty or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury either in the Place where the Offence was committed or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.*

Pendency of Suits before the Judges to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

IX. And be it enacted, That the Pendency of any Suit or Proceedings instituted before the said Judges or Arbitrators for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in bar, or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or any thing done in pursuance of the Provisions of the said Treaty.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

X. And be it declared and enacted, That if any of the Particulars specified in the Ninth Article of the said Treaty shall be found in the Outfit and Equipment of or on board any such Merchant Vessel wholly or in part owned by Subjects of Her Majesty, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His

Majesty

5 G. 4. c. 113.

Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Vessels condemned to be sold for Her Majesty's Service or broken up.

XI. And be it enacted, That any Ship or Vessel which shall be condemned under any such Authority as aforesaid may be taken into Her Majesty's Service upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, together with the Goods, Wares, and Merchandize laden therein, for the Profit of the Two Governments of *Great Britain* and *Chile*, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

XII. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the said Treaty, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized to make such Seizure under the Provisions of the said Treaty or Articles, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaty or Articles aforesaid, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty for Slaves captured.

XIII. And be it enacted, That there shall be paid to the Commanders, Officers, and Crew of Her Majesty's Ships authorized to make Seizures under the said Treaty a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board a *British* or *Chilian* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, such Bounty to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty shall think fit to order by any Order in Council, or by any Proclamation to be made for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

XIV. And be it enacted, That where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, and in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale as hereinbefore mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized, an additional Bounty to be paid.

XV. And be it enacted, That where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained, to be certified by the Commissioners by whom such Condemnation shall be pronounced: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of Consolidated Fund.

XVI. And be it enacted, That all Bounties payable under this Act shall be payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the Provisions of any such Treaties or Conventions, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

XVII. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

XVIII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to Commissioners of Treasury.

XIX. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XX. And be it enacted, That where any Slaves, or Persons treated as Slaves, shall be seized on board any *British* or *Chilian* Ship or Vessel, taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been delivered over, in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under

XXI. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *British* or *Chilian* Vessel

Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act.

this Act may resort to the Court of Admiralty.

XXII. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon, to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed, under the Provisions of this Act, to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Regulations and Penalties respecting Prize Agents Accounts extended.

XXIII. And be it enacted, That where any Ship or Vessel belonging in whole or in part to Subjects of the Republic of *Chile* shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, and the said Ship shall be restored by Sentence of the Court, as is mentioned in the Fifth Article of the Annex (B.) to the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded according to the Provisions of the said last-mentioned Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Commissioners of the Treasury may order Payment of Costs awarded for Vessels of Her Majesty detained but not condemned.

XXIV. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expences as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expences incurred by him.

XXV. Provided always, and be it enacted, That if any of the Things specified in the Ninth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Mixed Courts, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Mixed Courts should not pronounce any Sentence of Condemnation; but that in such Case it shall and may be lawful for the said Mixed Court, if they shall think fit, to pay out of the Prize Fund under the Control of the said Court such Sum of Money as, according to the Circumstances of the Case, they may judge reasonable, in proportion to the Demurrage suffered.

No Compensation to be made when any Articles specified in the Ninth Article of the Treaty are found on board.

CAP. LIII.

An Act for carrying into effect the Treaty between Her Majesty and the Queen of *Portugal* for the Suppression of the Traffic in Slaves. [10th *August* 1843.]

'WHEREAS on the Third Day of *July* in the Year of our Lord One thousand eight hundred and forty-two a Treaty was concluded and signed at *Lisbon*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Queen of *Portugal*, for the Suppression of the Traffic in Slaves, whereby it was agreed as follows:

'ARTICLE I.—The Two High Contracting Parties mutually declare to each other that the infamous and piratical Practice of transporting the Natives of *Africa* by Sea, for the Purpose of consigning them to Slavery, is and shall for ever continue to be a strictly prohibited and highly penal Crime in every Part of their respective Dominions, and for all the Subjects of their respective Crowns.

'ARTICLE II.—The Two High Contracting Parties mutually consent, that those Ships of their Royal Navies respectively which shall be provided with special Instructions, as herein-after mentioned, may visit and search such Vessels of the Two Nations as may upon reasonable Grounds be suspected of being engaged in transporting Negroes for the Purpose of consigning them to Slavery, or of having been fitted out for that Purpose, or of having been so employed during the Voyage in which they are met by the said Cruisers; and the said High Contracting Parties also consent that such Cruisers may detain and send or carry away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon; and in order to fix the reciprocal Right of Search in such a Manner as shall be adapted to the Attainment of the Objects of this Treaty, and shall at the same Time prevent Doubts, Disputes, and Complaints, it is agreed that the said Right of Search shall be exercised in the Manner and according to the Rules following:—

'First,—It shall never be exercised except by Vessels of War authorized expressly for that Purpose according to the Stipulations of this Treaty.

'Second,—In no Case shall the Right of Search be exercised with respect to a Vessel of the Royal Navy of either of the Two Powers.

'Third,—Whenever a Vessel is searched by a Ship of War the Commander of such Ship of War shall, immediately upon coming on board the Vessel which is to be so searched, and before he begins the Search, exhibit to the Commander of the Vessel which is to be searched the Document

'by

'by which he is duly authorized to make the Search, and he shall deliver to the said Commander of 'the Vessel which is to be searched a Certificate, signed by himself, stating his Rank in the Naval 'Service of his Country, and the Name of the Ship of War which he commands, and this Certificate 'shall also declare that the only Object of the Search is to ascertain whether the Vessel to be 'searched is employed in transporting Negroes or others in order to consign them to Slavery, or is 'fitted up for such Purpose; when the Search is made by an Officer of the Cruiser who is not the 'Commander thereof, such Officer shall proceed strictly in the same Manner as if he were the 'Commander, after having exhibited to the Captain of the Vessel to be searched a Copy of the 'above-mentioned Document, signed by the Commander of the Cruiser; and he shall in like 'Manner deliver a Certificate, signed by himself, stating his Rank in the Royal Navy, the Name of 'the Commander by whose Orders he proceeds to make the Search, that of the Cruiser in which 'he sails, and the Object of the Search as has been already laid down; if it appear from the Search 'that the Papers of the Vessel are in regular Order, and that the Vessel is employed for lawful 'Purposes, the Officer shall enter in the Log Book of the Vessel that the Search has been made in 'pursuance of the aforesaid special Orders, and the Vessel shall be left at liberty to pursue her 'Voyage.

'Fourth,—The Rank of the Officer who makes the Search must not be lower than that of 'Lieutenant of the Royal Navy, unless he be the Officer who shall at the Time be Second in Com- 'mand of the searching Vessel, or unless the Command shall, by reason of Death or otherwise, be 'held by an Officer of inferior Rank.

'Fifth,—The reciprocal Right of Search and Detention shall not be exercised within the '*Mediterranean Sea*, nor within the Seas in *Europe* which lie without the Straits of *Gibraltar* and 'to the Northward of the Thirty-seventh Parallel of North Latitude, and within and to the East- 'ward of the Meridian of Longitude Twenty Degrees West of *Greenwich*.

'ARTICLE III.—In order to regulate the Mode of carrying the Provisions of the preceding Article 'into execution it is agreed,—

'First,—That all Ships of the Royal Navies of the Two Nations which shall be hereafter 'employed to prevent the Transport of Negroes or others for the Purpose of consigning them to 'Slavery shall be furnished by their respective Governments with a Copy, in the *English* and '*Portuguese* Languages, of the present Treaty, of the Instructions (A.) for Cruisers annexed 'thereto, and of the Regulations (B.) for the Mixed Commissions annexed thereto, which Annexes 'respectively shall be considered as an integral Part of the Treaty.

'Second,—That each of the High Contracting Parties shall from Time to Time and as often 'as any Changes are made in the Ships of War employed in this Service communicate to the other 'the Names of the several Ships furnished with such Instructions, the Force of each, and the 'Names of their several Commanders, and of the Officers Second in Command.

'Third,—That if at any Time there shall be just Cause to suspect that any Vessel, sailing 'under the Flag of either Nation and proceeding under the Convoy of any Ship or Ships of War 'of either of the Contracting Parties, is engaged or is intended to be engaged in the Transport of 'Negroes or others for the Purpose of consigning them to Slavery, or is fitted out for that 'Purpose, or has during the Voyage in which she has been met with been so employed, it shall be 'the Duty of any Commander of any Ship of the Royal Navy of either of the Two Contracting 'Parties furnished with such Instructions as aforesaid to communicate in Writing his Suspicions 'to the Commander of the Convoy, and the said Commander of the Convoy shall give an Acknow- 'ledgment in Writing of the said Communication; and the said Commander of the Convoy, 'accompanied by the Commander of the Cruiser, shall proceed to search the suspected Vessel; if 'the Suspicions shall prove to be well founded, according to the Tenor of this Treaty, then the said 'Vessel shall be conducted or sent by the Commander of the Convoy to One of the Ports where 'the Mixed Commissioners are stationed, in order that the Vessel may undergo the Sentence 'applicable to her Case.

'Fourth,—It shall not be lawful to visit or detain, under any Pretext or Motive whatever, any 'Merchant Vessel when at anchor in any Port or Roadstead belonging to either of the Two High 'Contracting Parties, or within Cannon-shot of the Batteries on Shore, unless on a written Demand 'for Co-operation on the Part of the Authorities of such Country; but should any suspected 'Vessel be met with in such Port or Roadstead, due Representation of the same is to be made to 'the Authorities of the Country, requesting them to take the necessary Measures to prevent the 'Violation of the Stipulations of this Treaty, and the said Authorities shall proceed to take 'effectual Measures accordingly.

'ARTICLE IV.—As the Two preceding Articles are entirely reciprocal, the Two High Contracting 'Parties engage mutually to make good any Losses which their respective Subjects may incur by 'any arbitrary and illegal Detention of their Vessels, it being understood that this Compensation 'shall be made by the Government whose Cruiser shall have been guilty of such arbitrary and illegal 'Detention; the Compensation for Damages, of which this Article treats, shall be made within the 'Term of One Year, reckoned from the Day on which the Mixed Commission pronounces Sentence 'on the Vessel for the Detention of which such Compensation is claimed.

'ARTICLE V.—It is however distinctly understood between the Two High Contracting Parties 'that no Stipulation of the present Treaty shall be interpreted as interfering with the Right of

'*Portuguese*

'*Portuguese* Subjects to be accompanied in Voyages to and from the *Portuguese* Possessions off 'the Coast of *Africa* by Slaves who are *bonâ fide* Household Servants, and who may be duly named 'and described as such in Passports, wherewith the Vessel must be furnished, from the highest Civil 'Authority at the Place where such Slaves shall have embarked: Provided,

'First,—That in such Voyages no *Portuguese* Subject, except he be a *Portuguese* Settler 'removing definitively from his Residence in a *Portuguese* Possession on the Coast of *Africa*, shall 'be accompanied by more than Two Slaves, being *bonâ fide* Household Servants.

'Secondly,—That such a Settler removing definitively with his Family from his Residence in a 'Portuguese Possession on the Coast of *Africa* shall not be accompanied by more than Ten Slaves, 'and that all these Slaves shall be *bonâ fide* his Household Servants.

'Thirdly,—That such Household Slaves shall be found at large and unconfined in the Vessel, 'and clothed like *Europeans* in similar Circumstances.

'Fourthly,—That no other Slaves shall be embarked on board of the Vessel in which the said 'Household Servants shall be found; and that the Voyage on which such Settler and his Family 'shall be so accompanied by such Household Slaves shall be a direct Voyage to the *Portuguese* 'Islands of *Cape Verd*, *Princes*, or *Saint Thomas* from some Place in the *Portuguese* Possessions 'on the Coast of *Africa* where the said Settler shall have been permanently residing.

'Fifthly,—That the Passports above mentioned shall enumerate each of the Persons on board 'the Vessel, and shall state their Names, Sex, Ages, and Occupation, their last Place of Residence, 'and the Place to which they are going.

'Sixthly,—That there be nothing in the Equipment or Character of the Vessel in which such 'Household Slaves may be found which shall justify its Detention under the Provisions of this 'Treaty.

'But if the Equipment or Character of the Vessel shall justify the Detention of the Vessel under 'the Stipulations of the present Treaty, or if any of the Regulations specified in this Article shall be 'unobserved or violated in respect to such Vessel, then her Master and her Crew, and the Owner or 'Owners of the Vessel, of the Cargo, or of the Slaves, shall be liable to be proceeded against as 'Accomplices in an Infraction of the present Treaty, and to be punished accordingly; and the Vessel 'and Cargo shall be adjudged and condemned, and the Slaves shall be liberated.

'ARTICLE VI.—In order to bring to Adjudication, with as little Delay and Inconvenience as 'possible, the Vessels which may be detained according to the Tenor of Article II. of this Treaty, 'there shall be established, as soon as may be practicable, Two or more Mixed Commissions, formed 'of an equal Number of Individuals of the Two Nations, and named for this Purpose by their 'respective Sovereigns.

'Of these Commissions, One Half shall reside in Possessions belonging to Her *Britannic* 'Majesty, the other Half within the Territories of Her most Faithful Majesty; and the Two 'Governments, at the Period of exchanging the Ratifications of the present Treaty, shall declare, 'each for its own Dominions, in what Places the Commissions shall respectively reside. Each of 'the Two High Contracting Parties reserves to itself the Right of changing at its Pleasure the Place 'of Residence of the Commissions held within its own Dominions: Provided always, that Two 'at least of the said Commissions shall always be held either on the Coast of *Africa* or in one of the 'Islands off that Coast.

'These Commissions shall judge the Causes submitted to them according to the Provisions of 'the present Treaty, without Appeal, and according to the Regulations and Instructions which are 'annexed to the present Treaty, and which are considered as forming an integral Part thereof.

'ARTICLE VII.—The Mixed Commission, at present established and sitting under the Convention 'between *Great Britain* and *Portugal* of the Twenty-eighth of *July* One thousand eight hundred 'and seventeen, shall continue to exercise its Functions, and shall, from and after the End of Six 'Months after the Exchange of the Ratifications of this Treaty, and until the Appointment and 'definitive Establishment of the Mixed Commissions under the present Treaty, adjudge without 'Appeal, according to the Principles and Stipulations of the present Treaty, and of the Annexes 'thereof, the Cases of such Vessels as may be sent or brought before it; and any Vacancies which 'may occur in such Mixed Commission shall be filled up in the same Manner in which Vacancies 'in the Mixed Commissions to be established under the Provisions of this Treaty are to be 'supplied.

'ARTICLE VIII.—If the Commanding Officer of any of the Ships of the Royal Navies of *Great* '*Britain* and *Portugal* respectively, duly commissioned according to the Provisions of Article II. of 'this Treaty, shall deviate in any respect from the Stipulations of the said Treaty, or from the 'Instructions annexed to it, the Government which shall conceive itself to be wronged thereby 'shall be entitled to demand Reparation, and in such Case the Government to which such Com-'manding Officer may belong binds itself to cause Inquiry to be made into the Subject of the 'Complaint, and to inflict upon the said Officer a Punishment proportioned to any wilful Trans-'gression which he may have committed.

'ARTICLE IX.—Any Vessel, *British* or *Portuguese*, which shall be visited by virtue of the present 'Treaty, may lawfully be detained and may be sent or brought before One of the Mixed Commis-'sions established in pursuance of the Provisions thereof, if any of the Things herein-after mentioned

'shall be found in her Outfit or Equipment, or shall be proved to have been on board during the 'Voyage in which the Vessel was proceeding when captured; namely,

'First,—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant 'Vessels.

'Secondly,—Divisions or Bulkheads in the Hold or on Deck in greater Number than are 'necessary for Vessels engaged in lawful Trade.

'Thirdly,—Spare Planks fitted for being laid down as a Second or Slave Deck.

'Fourthly,—Shackles, Bolts, or Handcuffs.

'Fifthly,—A larger Quantity of Water in Casks or in Tanks than is requisite for the Con- 'sumption of the Crew of the Vessel as a Merchant Vessel.

'Sixthly,—An extraordinary Number of Water Casks, or of other Vessels for holding Liquid, 'unless the Master shall produce a Certificate from the Custom House at the Place from which 'he cleared Outwards, stating that sufficient Security had been given by the Owners of such 'Vessel that such extra Quantity of Casks or of other Vessels should only be used for the Reception 'of Palm Oil, or for other Purposes of lawful Commerce.

'Seventhly,—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the 'Crew of the Vessel as a Merchant Vessel.

'Eighthly,—A Boiler, or other Cooking Apparatus of an unusual Size, and larger, or fitted 'for being made larger, than requisite for the Use of the Crew of the Vessel as a Merchant Vessel, 'or more than One Boiler or other Cooking Apparatus of the ordinary Size.

'Ninthly,—An extraordinary Quantity of Rice, of the Flour of Brazil, Manioc or Cassada com- 'monly called Farinha, of Maize, or of Indian Corn, or of any other Article of Food whatever, 'beyond what might probably be requisite for the Use of the Crew, such Rice, Flour, Maize, 'Indian Corn, or other Article of Food not being entered on the Manifest as Part of the Cargo 'for Trade.

'Tenthly,—A Quantity of Mats or Matting larger than is necessary for the Use of the Crew of 'the Vessel as a Merchant Vessel.

'Any One or more of these several Things, if proved to have been found on board, or to have been 'on board during the Voyage on which the Vessel was proceeding when captured, shall be considered 'as *primâ facie* Evidence of the actual Employment of the Vessel in the Transport of Negroes or 'others for the Purpose of consigning them to Slavery, and the Vessel shall thereupon be condemned 'and shall be declared lawful Prize, unless clear and incontestably satisfactory Evidence on the Part 'of the Master or Owners shall establish, to the Satisfaction of the Court, that such Vessel was 'at the Time of her Detention or Capture employed on some legal Pursuit, and that such of the 'several Things above enumerated as were found on board of her at the Time of her Detention, or 'had been on board of her on the Voyage on which she was proceeding when captured, were needed 'for legal Purposes on that particular Voyage.

'ARTICLE X.—If any of the Things specified in the preceding Article shall be found in any 'Vessel which is detained under the Stipulations of this Treaty, or shall be proved to have been on 'board the Vessel during the Voyage on which the Vessel was proceeding when captured, no Com- 'pensation for Losses, Damages, or Expences consequent upon the Detention of such Vessel shall 'in any Case be granted either to her Master or to her Owner, or to any other Person interested 'in her Equipment or Lading, even though the Mixed Commission should not pronounce any 'Sentence of Condemnation in consequence of her Detention.

'ARTICLE XI.—In all Cases in which a Vessel shall be detained under this Treaty by the 'respective Cruisers of the Contracting Parties as having been engaged in transporting Negroes or 'others for the Purpose of consigning them to Slavery, or as having been fitted out for that Purpose, 'and shall consequently be adjudged and condemned by the Mixed Commissions to be established 'as aforesaid, either of the Two Governments may purchase the condemned Vessel, for the Use of 'its Royal Navy, at a Price to be fixed upon by a competent Person to be chosen by the Court of 'Mixed Commission for that Purpose; but the Government whose Cruiser shall have detained the 'condemned Vessel shall have the first Choice of purchasing her; but if the condemned Vessel shall 'not be so purchased, the said Vessel shall, immediately after Condemnation, be broken up entirely, 'and shall be sold in separate Parts after having been so broken up.

'ARTICLE XII.—When any Vessel shall have been declared good Prize by One of the Mixed 'Commissions the Captain, Pilot, Crew, and Passengers found on board the said Vessel shall be 'immediately placed at the Disposal of the Government of the Country under whose Flag the said 'Vessel was navigating at the Time of her Capture, to be tried and punished according to the Laws 'of that Country.

'In the like Manner the Owner of the Vessel, the Persons interested in the Equipment and Cargo, 'and their several Agents, shall be tried and punished, unless they can prove that they took no Part 'in that Infraction of the present Treaty on account of which the Vessel was condemned.

'ARTICLE XIII.—Each of the Two High Contracting Parties most solemnly binds itself to 'guarantee the Liberty of the Negroes who may be emancipated under the present Treaty by the 'Mixed Commissioners sitting within the Colonies or Possessions of such Government, and to 'afford from Time to Time, and whenever demanded by the other Party, or by the Members of 'the Mixed Commissions by whose Sentence the Slaves shall have been liberated, the fullest

'Information

'Information as to the State and Condition of such Negroes, with a view of ensuring the due 'Execution of the Treaty in this respect.

'For this Purpose the Regulations (C.) annexed to this Treaty, as to the Treatment of Negroes 'liberated by Sentence of the Mixed Commissions, have been drawn up, and are declared to form 'an integral Part of this Treaty, the Two High Contracting Parties reserving to themselves the 'Right to alter by common Consent and by mutual Agreement, but not otherwise, the Terms and 'Tenor of such Regulations.

'ARTICLE XIV.—The Acts or Instruments annexed to this Treaty, and which it is mutually 'agreed shall form an integral Part thereof, are as follows:

'(a) Instructions for the Ships of the Royal Navies of both Nations employed to prevent the 'Transport of Negroes or others for the Purpose of consigning them to Slavery.

'(b) Regulations for the Mixed Commissions.

'(c) Regulations as to the Treatment of liberated Negroes.

'ARTICLE XV.—Her Majesty the Queen of *Portugal* and *Algarves* hereby declares the Slave 'Trade to be Piracy, and that those of Her Subjects who shall, under any Pretext whatever, take 'any Part in the Traffic of Slaves shall be subjected to the most severe secondary Punishment.

'ARTICLE XVI.—The present Treaty shall be ratified, and the Ratifications shall be exchanged 'at *Lisbon*, at the Expiration of Two Months from the Date of its Signature, or sooner, if possible.

'In witness whereof the respective Plenipotentiaries have signed in duplicate Originals, *English* 'and *Portuguese*, the present Treaty, and have thereunto affixed the Seal of their Arms.

'Done at *Lisbon* the Third Day of *July* in the Year of our Lord One thousand eight hundred 'and forty-two.

'(L.S.) *Howard de Walden.*

'ADDITIONAL ARTICLE to the Treaty concluded between *Great Britain* and *Portugal* for the 'Abolition of Slave Trade on the Third Day of *July* in the Year of our Lord One thousand 'eight hundred and forty-two.

'As the Object of this Treaty, and of the Three Annexes which form Part of it, is no other than 'that of preventing the Traffic in Slaves, without any Annoyance to the respective Merchant 'Shipping of the Two Nations, and as this fraudulent Traffic is carried on from the Coast of *Africa*, 'where the Crown of *Portugal* has also extensive Colonial Possessions, where legitimate Commerce 'exists, and which it is important, in the Spirit of this Treaty, to promote and protect, the High 'Contracting Parties, animated by the same Sentiments, agree that if in future it should appear 'necessary to either of them to adopt new Measures or alter any of the Executive Regulations for 'attaining the said beneficent Object, or for obviating any unforeseen Inconvenience to the aforesaid 'Shipping or lawful Commerce which Experience shall have made known, in consequence of those 'established in this Treaty and its Annexes proving inefficacious or injurious, the said High Contract-'ing Parties engage to consult together for the more complete Attainment of the Object proposed.

'The present additional Article shall have the same Force and Effect as if it were inserted Word 'for Word in the Treaty signed on this Day; and it shall be ratified, and the Ratifications shall be 'exchanged, within the Term of Two Months from the Date of its Signature, or sooner, if possible.

'In witness whereof the respective Plenipotentiaries have signed it, and have affixed thereto the 'Seal of their Arms.

'Done at *Lisbon* the Third Day of *July* One thousand eight hundred and forty-two.

'(L.S.) *Howard de Walden.*

'ANNEX (A.)

'To the TREATY between GREAT BRITAIN and PORTUGAL upon SLAVE TRADE of the Third Day of '*July* One thousand eight hundred and forty-two.

'*Instructions for the Ships of the British and Portuguese Royal Navies employed to prevent the Traffic 'in Slaves.*

'ARTICLE I.—The Commander of any Ship belonging to the Royal *British* or *Portuguese* Navy, 'who shall be furnished with these Instructions, shall have a Right to visit, search, and detain, 'except within the Limits excepted in Article II. of the Treaty, any *British* or *Portuguese* Vessel 'which shall be actually engaged or shall be suspected to be engaged in transporting Negroes or others 'for the Purpose of consigning them to Slavery, or to be fitted out with such view, or to have been 'so employed during the Voyage on which she may be met with by such Ship of the *British* or '*Portuguese* Navy; and such Commander shall thereupon bring or send such Vessel as soon as 'possible for Judgment before that one of the Mixed Commissions, established in virtue of Article VI. 'of the said Treaty, which shall be the nearest to the Place of Detention, or which such Commander 'shall, upon his own Responsibility, judge can be soonest reached from such Place.

'ARTICLE II.—Whenever a Ship of either of the Royal Navies, duly authorized as aforesaid, 'shall meet a Vessel liable to be visited under the Provisions of the said Treaty, the Search shall 'be conducted in the mildest Manner, and with every Attention which ought to be observed between 'allied and friendly Nations; and the Search shall in all Cases be made by an Officer holding a Rank 'not lower than that of Lieutenant in the Navies of *Great Britain* and *Portugal* respectively,

'unless the Command shall, by reason of Death or otherwise, be held by an Officer of inferior Rank, 'or unless the Officer who makes the Search shall at the Time be Second in Command of the Ship 'by which such Search is made.

'ARTICLE III.—The Commander of any Ship of the Two Royal Navies, duly authorized as 'aforesaid, who may detain any Vessel in pursuance of the Tenor of the present Instructions, shall 'at the Time of Detention draw up in Writing an authentic Declaration, which shall exhibit the 'State in which he found the detained Vessel, which Declaration shall be signed by himself, and 'shall be given in or sent, together with the captured Vessel, to the Mixed Commission before 'which such Vessel shall be carried or sent for Adjudication. He shall deliver to the Master of 'the detained Vessel a signed Certificate of the Papers seized on board the same, as well as of the 'Number of Slaves found on board at the Moment of Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as well as in 'the Certificate of the Papers seized, he shall insert his own Name, the Name of the capturing 'Ship, the Latitude and Longitude of the Place where the Detention shall have been made, and the 'Number of Slaves found on board the Vessel at the Time of the Detention.

'When the Commander of the Cruiser shall not think proper to take upon himself to carry in and 'deliver up the detained Vessel, he shall not intrust the Duty to an Officer below the Rank of Lieu- 'tenant in the Navy, unless it be to the Officer who at the Time shall not be lower than Third in 'Command of the detaining Ship.

'The Officer in charge of the Vessel detained shall, at the Time of bringing the Vessel's Papers 'before the Mixed Commission, deliver into the Court a Paper, signed by himself, and verified on 'Oath, stating any Changes which may have taken place in respect to the Vessel, her Crew, the Slaves, 'if any, and her Cargo, between the Period of her Detention and the Time of delivering in such 'Papers.

'ARTICLE IV.—No Part of the Crew or Passengers, or of the Cargo, or of the Slaves found on 'board the Vessel seized, shall be withdrawn from it until the said Vessel shall have been delivered 'over to One of the Mixed Commissions, unless the Transfer of the Whole or Part of the Crew or 'Passengers, or of the Whole or Part of the Slaves found on board, should be considered necessary, 'either to preserve their Lives, or for any other humane Consideration, or for the Safety of the 'Persons charged with the Conduct of the Vessel after its Seizure; in which Case the Commander 'of the Cruiser, or the Officer charged with the said seized Vessel, shall draw out a Certificate, in 'which he shall declare the Reasons of the said Transfer; and the Commanders, Sailors, or Passengers 'thus transferred shall be conducted to the same Port as the Vessel and its Cargo.

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIV. of the Treaty 'signed by them on this Day, the Third of *July* One thousand eight hundred and forty two, that 'the preceding Instructions, consisting of Four Articles, shall be annexed to the said Treaty, and 'shall be considered an integral Part thereof.

'The Third Day of *July* One thousand eight hundred and forty-two.

'(L.S.) *Howard de Walden.*

'ANNEX (B.)

'To the TREATY between GREAT BRITAIN and PORTUGAL upon SLAVE TRADE of the Third Day of 'July One thousand eight hundred and forty-two.

'*Regulations for the Mixed Commissions which are to adjudge the Cases of Vessels under the Treaty 'between Great Britain and Portugal upon Slave Trade of the Third Day of July One thousand 'eight hundred and forty-two.*

'ARTICLE I.—The Mixed Commissions to be established under the Provisions of the Treaty 'of which these Regulations are declared to be an integral Part shall be composed in the following 'Manner:

'Each of the Two High Contracting Parties shall name a Commissioner and an Arbitrator, 'who shall be authorized to hear and to decide, without Appeal, all Cases of the Capture or Detention 'of Vessels which, in pursuance of the Stipulations of the aforesaid Treaty, shall be brought before 'them. The Commissioners and the Arbitrators shall, before entering upon the Duties of their 'Office, respectively make Oath before the principal Magistrate of the Places in which such Com- 'missions respectively shall reside, that they will judge fairly and faithfully, that they will have no 'Preference either for the Claimants or the Captors, and that they will act in all their Decisions in 'pursuance of the Stipulations of the aforesaid Treaty.

'There shall be attached to each of such Commissions a Secretary or Registrar, who shall be 'appointed by the Sovereign in whose Territories such Commission shall reside. Such Secretary or 'Registrar shall register all the Acts of such Commission, and shall, previously to entering upon his 'Office, make Oath before the Commission to which he is appointed, that he will conduct himself 'with due Respect for its Authority, and will act with Fidelity and Impartiality in all Matters 'relating to his said Office.

'The Salary of the Secretary or Registrar of the Commissions which are to be established in the 'Dominions of Her *Britannic* Majesty shall be paid by Her said Majesty, and that of the Secretary

'or

'or Registrar of the Commissions which are to be established in the Colonial Possessions of *Portugal* 'shall be paid by Her most Faithful Majesty.

'Each of the Governments shall defray Half of the aggregate Amount of the incidental Expences 'of such Commissions.

'ARTICLE II.—The Expences incurred by the Officer charged with the Reception, Maintenance, 'and Care of the detained Vessel, Slaves, and Cargo, and with the Execution of the Sentence, and 'all Disbursements occasioned by bringing a Vessel to Adjudication, shall, in case of Condemnation, 'be defrayed from the Funds arising from the Sale of the Materials of the Vessel after the same shall 'have been broken up, of the Vessel's Stores, and of such Part of the Cargo as shall consist of 'Merchandize; and in case the Proceeds arising from this Sale should not prove sufficient to defray 'such Expences, the Deficiency shall be made good by the Government of the Country within whose 'Territories the Adjudication shall have taken place.

'If the detained Vessel shall be released, the Expences occasioned by bringing her to Adjudication 'shall be defrayed by the Captor, excepting in the Cases specified and otherwise provided for under 'Article X. of the Treaty to which these Regulations form an Annex, and under Article VII. of 'these Regulations.

'ARTICLE III.—The Mixed Commissions are to decide upon the Legality of the Detention of 'such Vessels as the Cruisers of either Nation shall, in pursuance of the said Treaty, detain.

'These Commissions shall judge definitively, and without Appeal, all Questions which shall arise 'out of the Capture and Detention of such Vessels.

'The Proceedings of these Commissions shall take place with as little Delay as possible, and for 'this Purpose the Commissions are required to decide each Case, as far as may be practicable, 'within the Space of Twenty Days, to be counted from the Day on which the detained Vessel shall be 'brought into the Port where the deciding Commission shall reside.

'The final Sentence shall not in any Case be delayed beyond the Period of Two Months, either 'on account of the Absence of Witnesses, or for any other Cause, except upon the Application of 'any of the Parties interested, in which Case, upon such Party or Parties giving satisfactory Security 'that they will take upon themselves the Expence and Risk of the Delay, the Commissions may, 'at their Discretion, grant an additional Delay, not exceeding Four Months.

'Either Party shall be allowed to employ such Counsel as he may think fit, to assist him in the 'Conduct of his Cause.

'The Proceedings of the said Mixed Commissions shall be open to the Public; and all the essential 'Parts of the Proceedings of the said Commissions shall be written down in the Language of the 'Country in which the Commissions shall respectively reside.

'ARTICLE IV.—The Form of the Process shall be as follows:—

'The Commissioners appointed by the Two Governments respectively shall, in the first place, 'examine the Papers of the detained Vessel, and take the Depositions of the Commander or 'Master, and Two or Three at least of the principal Individuals on board of such Vessel, as well as 'the Declaration on Oath of the Captor, should such Declaration appear necessary, in order to 'enable them to judge and pronounce whether the said Vessel has been justly detained or not, 'according to the Stipulations of the aforesaid Treaty, and in order that the Vessel may be condemned 'or released accordingly.

'In the event of the Two Commissioners not agreeing as to the Sentence which they ought to 'pronounce in any Case brought before them, either with respect to the Legality of the Detention, 'the Liability of the Vessel to Condemnation, or the Indemnification to be allowed, or as to any other 'Question which may arise out of the said Capture, or if any Difference of Opinion should arise 'between them as to the Mode of proceeding in the said Commission, they shall draw by Lot the 'Name of one of the Two Arbitrators so appointed as aforesaid; which Arbitrator, after having 'considered the Proceedings which have taken place, shall consult with the Two above-mentioned 'Commissioners, and the final Sentence or Decision shall be pronounced conformably to the 'Opinion of the Majority of the Three.

'ARTICLE V.—If the detained Vessel shall be restored by the Sentence of the Commission, the 'Vessel and the Cargo, in the State in which they shall then be found, shall forthwith be given up 'to the Master or to the Person who represents him; and such Master or other Person may before 'the same Commission claim to have a Valuation made of the Amount of the Damages which he may 'have a Right to demand. The Captor himself, and in his Default his Government, shall remain 'responsible for the Damages to which the Master of such Vessel, or the Owners of the Vessel or 'of her Cargo, may be pronounced to be entitled.

'The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the 'Date of the Sentence, the Costs and Damages which may be awarded by the above-mentioned 'Commission, it being mutually understood and agreed that such Costs and Damages shall be made 'good by the Government of the Country of which the Captor shall be a Subject.

'ARTICLE VI.—If the detained Vessel shall be condemned she shall be declared lawful Prize, 'together with her Cargo, of whatever Description it may be, with the Exception of the Negroes or 'others who shall have been brought on board for the Purpose of being consigned to Slavery; and 'the said Vessel, in conformity with the Regulations in Article XI. of the Treaty of this Date, shall,

'as

'as well as her Cargo, be sold by public Sale for the Profit of the Two Governments, subject to the 'Payment of the Expences herein-before mentioned.

'The Slaves shall receive from the Commission a Certificate of Emancipation, and shall be 'delivered over to the Government to whom belongs the Cruiser which made the Capture, to be dealt 'with according to the Regulations and Conditions contained in the Annex to this Treaty 'marked (C.)

'The Charges incurred for the Support and for the Return Voyage of the Commanders and Crews 'of condemned Vessels shall be defrayed by the Government of which such Commanders and 'Crews are the Subjects.

'ARTICLE VII.—The Mixed Commissions shall also take cognizance of, and shall decide definitively, and without Appeal, all Claims for Compensation on account of Losses occasioned to 'Vessels and Cargoes which shall have been detained under the Provisions of this Treaty, but which 'shall not have been condemned as legal Prize by the said Commissions; and in all Cases wherein 'Restitution of such Vessels and Cargoes shall be decreed, save as mentioned in Article X. of the 'Treaty to which these Regulations form an Annex, and in a subsequent Part of these Regulations, 'the Commissions shall award to the Claimant or Claimants, or to his or their lawful Attorney or 'Attornies, for his or their Use, a just and complete Indemnification for all Costs of Suit, and for all 'Losses and Damages which the Owner or Owners may have actually sustained by such Capture and 'Detention; (that is to say,)

'First,—In case of total Loss, the Claimant or Claimants shall be indemnified,—

'(a) For the Ship, her Tackle, Equipment, and Stores.

'(b) For all Freights due and payable.

'(c) For the Value of the Cargo or Merchandize, if any, deducting all Charges and Expences 'payable upon the Sale of such Cargo, including Commission of Sale.

'(d) For all other regular Charges in such Case of total Loss.

'Secondly.—In all other Cases, save as herein-after mentioned, not of total Loss, the Claimant 'or Claimants shall be indemnified,—

'(a) For all special Damages and Expences occasioned to the Ship by the Detention, and 'for Loss of Freight when due or payable.

'(b) For Demurrage when due, according to the Schedule annexed to the present Article.

'(c) For any Deterioration of the Cargo.

'(d) For all Premium of Insurance on additional Risks.

'The Claimant or Claimants shall be entitled to Interest at the Rate of Five *per Centum per Annum* 'on the Sum awarded, until such Sum is paid by the Government to which the capturing Ship belongs. 'The whole Amount of such Indemnifications shall be calculated in the Money of the Country to 'which the detained Vessel belongs, and shall be liquidated at the Exchange current at the Time 'of the Award.

'The Two High Contracting Parties, however, have agreed, that if it shall be proved to the Satisfaction of the Commissioners of the Two Nations, and without having recourse to the Decision 'of an Arbitrator, that the Captor has been led into Error by the Fault of the Master or Commander of the detained Vessel, the detained Vessel in that Case shall not have the Right of 'receiving for the Time of her Detention the Demurrage stipulated by the present Article, nor any 'other Compensation for Losses, Damages, or Expences consequent upon such Detention.

'SCHEDULE of Demurrage or daily Allowance for a Vessel of

'100	Tons to	120	inclusive	-	-	£ 5	*per Diem.*
'121	„	150	„	-	-	6	„
'151	„	170	„	-	-	8	„
'171	„	200	„	-	-	10	„
'201	„	220	„	-	-	11	„
'221	„	250	„	-	-	12	„
'251	„	270	„	-	-	14	„
'271	„	300	„	-	-	15	„

'And so on in proportion.

'ARTICLE VIII.—Neither the Commissioners, nor the Arbitrators, nor the Secretaries of the 'Commissions, shall demand or receive from any of the Parties concerned in the Cases which shall 'be brought before the Commissions any Emolument or Gift, under any Pretext whatsoever, for the 'Performance of the Duties which such Commissioners, Arbitrators, or Secretaries have to perform.

'ARTICLE IX.—When the Parties interested shall imagine they have Cause to complain of any 'evident Injustice on the Part of the Mixed Commissions, they may represent it to their respective 'Governments, who reserve to themselves the Right of mutual Correspondence for the Prevention of 'such Injustice for the future.

'ARTICLE X.—The Two High Contracting Parties have agreed that in the event of the Death, 'Sickness, Absence on Leave, or any other legal Impediment of One or more of the Commissioners 'or Arbitrators composing the above-mentioned Commissions respectively, the Post of such Commissioners or of such Arbitrators shall be supplied *ad interim* in the following Manner:

'First,—On the Part of Her *Britannic* Majesty, and in those Commissions which shall sit 'within the Possessions of Her said Majesty, if the Vacancy be that of the *British* Commissioner,

'his

'his Place shall be filled by the *British* Arbitrator; and either in that Case, or if the Vacancy 'be originally that of the *British* Arbitrator, the Place of such Arbitrator shall be filled successively 'by the Governor or Lieutenant Governor resident in such Possessions, by the principal Magistrate 'of the same, and by the Secretary of the Government; and the said Commissions so constituted 'as above shall sit, and in all Cases brought before them for Adjudication shall proceed to 'adjudge the same, and to pass Sentence accordingly.

'Secondly,—On the Part of *Great Britain*, and in those Commissions which shall sit within the 'Possessions of Her most Faithful Majesty, if the Vacancy be that of the *British* Commissioner, 'his Place shall be filled by the *British* Arbitrator; and either in that Case, or if the Vacancy 'be originally that of the *British* Arbitrator, his Place shall be filled successively by the *British* 'Consul and *British* Vice Consul, if there be a *British* Consul or *British* Vice Consul appointed 'to and resident in such Possessions; and if the Vacancy be both of the *British* Commissioner and 'of the *British* Arbitrator, then the Vacancy of the *British* Commissioner shall be filled by the '*British* Consul, and that of the *British* Arbitrator by the *British* Vice Consul, if there be a '*British* Consul and *British* Vice Consul appointed to and resident in such Possessions; and if 'there shall be no *British* Consul or Vice Consul to fill the Place of *British* Arbitrator, then 'the *Portuguese* Arbitrator shall be called in, in those Cases in which a *British* Arbitrator, if there 'were any, would be called in; and if the Vacancy be both of the *British* Commissioner and the '*British* Arbitrator, and if there be neither *British* Consul nor *British* Vice Consul to fill *ad interim* 'the Vacancies, then the *Portuguese* Commissioner and *Portuguese* Arbitrator shall sit, and in all 'Cases brought before them for Adjudication shall proceed to adjudge the same, and to pass 'Sentence accordingly.

'Thirdly,—On the Part of *Portugal*, and in those Commissions which shall sit within the Posses- 'sions of Her most Faithful Majesty, if the Vacancy be that of the *Portuguese* Commissioner, 'his Place shall be filled by the *Portuguese* Arbitrator; and either in that Case, or if the Vacancy 'be originally that of the *Portuguese* Arbitrator, the Place of such Arbitrator shall be filled succes- 'sively by the highest Civil Authority resident in such Possessions, by the principal Magistrate 'of the same, and by the Secretary of the Government; and the said Commission so constituted 'as above shall sit, and in all Cases brought before them for Adjudication shall proceed to adjudge 'the same, and pass Sentence accordingly.

'Fourthly,—On the Part of *Portugal*, and in those Commissions which shall sit within the 'Possessions of Her *Britannic* Majesty, if the Vacancy be that of the *Portuguese* Commissioner, 'his Place shall be filled by the *Portuguese* Arbitrator; and either in that Case, or if the Vacancy 'be originally that of the *Portuguese* Arbitrator, his Place shall be filled successively by the *Por-* 'tuguese Consul and *Portuguese* Vice Consul, if there be a *Portuguese* Consul and *Portuguese* Vice 'Consul appointed to and resident in such Possessions; and if the Vacancy be both of the *Portu-* 'guese Commissioner and of the *Portuguese* Arbitrator, then the Vacancy of the Commissioner 'shall be filled by the *Portuguese* Consul, and that of the *Portuguese* Arbitrator by the *Portuguese* 'Vice Consul, if there be a *Portuguese* Consul and a *Portuguese* Vice Consul appointed to and re- 'sident in such Possessions; and in the Case in which there be no *Portuguese* Consul or *Portuguese* 'Vice Consul to fill the Place of *Portuguese* Arbitrator, then the *British* Arbitrator shall be called 'in in those Cases in which a *Portuguese* Arbitrator, were there any, would be called in; and in case 'the Vacancy be both of the *Portuguese* Commissioner and *Portuguese* Arbitrator, and there be 'neither *Portuguese* Consul nor *Portuguese* Vice Consul to fill *ad interim* the Vacancies, then the '*British* Commissioner and Arbitrator shall sit, and in all Cases brought before them for 'Adjudication shall proceed to adjudge the same, and pass Sentence accordingly.

'The highest Civil Authority of the Settlement wherein either of the Mixed Commissions shall 'sit, in the event of a Vacancy arising either of the Commissioner or the Arbitrator of the other 'High Contracting Party, shall forthwith give Notice of the same to the highest Civil Authority 'of the nearest Settlement of such other High Contracting Party, in order that such Vacancy may 'be supplied at the earliest possible Period; and each of the High Contracting Parties agrees to 'supply definitively, as soon as possible, the Vacancies which may arise in the above-mentioned 'Commissions from Death, or from any other Cause whatever.

'ARTICLE XI.—The Mixed Commissions shall transmit annually to each Government a Report, 'relating —

'First,—To the Cases which have been brought before them for Adjudication.

'Secondly,—To the State of liberated Negroes.

'Thirdly,—To every Information which they may be able to obtain respecting the Treatment 'and Progress made in the religious and mechanical Education of the liberated Negroes; and 'such Report shall, under the Authority of the Government, be annually published in each 'Country.

'The undersigned Plenipotentiaries have agreed, in conformity with Article XIV. of the Treaty 'signed by them on this Day, the Third of *July* One thousand eight hundred and forty-two, that 'the preceding Regulations, consisting of Eleven Articles, shall be annexed to the said Treaty, 'and considered as an integral Part thereof.

'The Third Day of *July* One thousand eight hundred and forty-two.

'(L.S.) *Howard De Walden.*

'ANNEX

'ANNEX (C.)

'To the TREATY between GREAT BRITAIN and PORTUGAL upon SLAVE TRADE of the Third Day of 'July One thousand eight hundred and forty-two.

'*Regulations in respect to the Treatment of liberated Negroes.*

'ARTICLE I.—The Object and Purpose of the Letter and Spirit of these Regulations is to secure 'to Negroes and others liberated in virtue of the Stipulations of the Treaty to which these Regula- 'tions form an Annex, (marked C.), permanent good Treatment, and full and complete Emancipation, 'in conformity with the humane Intentions of the High Contracting Parties.

'ARTICLE II.—Immediately after Sentence of Condemnation upon a Vessel charged with being 'concerned in illegal Slave Trade shall have been passed by the Mixed Commissions established 'under the Treaty to which these Regulations form an Annex, all Negroes or others who were on 'board of such Vessel, and who were brought on board for the Purpose of being consigned to Slavery, 'shall be delivered over to the Government to whom belongs the Cruiser which made the Capture.

'ARTICLE III.—The Negroes so liberated, and delivered over to such Government, shall be 'placed under the Care and Superintendence of a Board consisting of Two Members or Commis- 'sioners, with a Power to call in a Third Member, under the Circumstances herein-after stated.

'In those Colonies or Possessions of Her *Britannic* Majesty in which, under the Treaty to which 'these Regulations form an Annex, Mixed Commissions are to sit, the Boards of Superintendence 'of liberated Negroes shall consist of the Governors of the said Colonies or Possessions, and of the '*Portuguese* Commissioners in the said Mixed Commissions; and when the *Portuguese* Commis- 'sioners are absent, then the *Portuguese* Arbitrators of the said Mixed Commissions shall sit in 'the Place of the Commissioners in the Boards of Superintendence of liberated Negroes.

'In those Colonies or Possessions of Her most Faithful Majesty in which under the present Treaty 'Mixed Commissions are to sit, the Boards of Superintendence of the liberated Negroes shall 'consist of the Governors of those Colonies or Possessions and of the *British* Commissioners in the 'said Mixed Commissions; and when the *British* Commissioners are absent, then the *British* 'Arbitrators of the said Mixed Commissions shall sit in the Place of the Commissioners in the Boards 'of Superintendence of liberated Negroes.

'The several Members of the Boards of Superintendence shall, before entering upon their Offices 'respectively, take an Oath, in the Presence of the principal Magistrate of the Place, that they 'will faithfully execute their Office, without Favour or Partiality, according to the true Intent and 'Meaning of these Regulations.

'ARTICLE IV.—In order the better to carry into effect the Purposes intended by the present 'Regulations, a Person of known Probity and Humanity shall be selected and appointed by the 'Board of Superintendence to act under its Directions, with the Title of Curator of liberated 'Negroes, and such Curator may, under the Sanction of the Board, employ such Persons as may be 'necessary to assist him in the Execution of his Duties.

'The Curator so appointed shall, previously to his entering on the Duties of his Office, take before 'the Board of Superintendence an Oath in the following Words:

'"I *A.B.* do solemnly swear, That I will act to the best of my Skill and Knowledge faithfully 'and impartially in the Execution of my Office, and that I will conduct myself with due 'Respect to the Authority of the Board of Superintendence of liberated Negroes to which I 'am attached. So help me GOD."'

'ARTICLE V.—The Curator of the liberated Negroes shall be personally present at the Delivery 'of the Negroes to the Person charged by the Government to receive them after the Sentence of 'Emancipation is passed, as specified in Article II. of these Regulations.

'Duplicate original Receipts for the Negroes delivered over to the Government, specifying the 'Number of each Sex, shall, at the Time when they are delivered as aforesaid, be made out and 'signed by the Officer receiving them.

'One Original of such Receipts shall be given to the Person previously in charge of the Negroes, 'the other shall be given to the Curator, who shall deposit the same in the Registry of the Mixed 'Commission which adjudicated the Case of the Vessel in which the Negroes were captured.

'At the Time of the Delivery of such Negroes to the Government in the Manner herein-before 'mentioned they shall be minutely inspected by the Curator, who shall give to each Negro a Name, 'which Name shall then be entered by the Curator in a Book to be called "Register of Eman- 'cipated Negroes," and to be kept for that Purpose in the Office of the Board of Superintendence, 'and opposite the Name shall be entered a Description of the Person, with the probable Age, 'with the bodily Marks, and with any Particulars which can be ascertained regarding the Family and 'Nation of such Negro, together with the Name of the Vessel in which he was captured.

'Each Negro shall then be marked on the upper Part of the Right Arm with a small Silver 'Instrument bearing for its Device a Symbol of Freedom.

'ARTICLE VI.—The Board of Superintendence shall then make known by the public Papers its 'Intention to apprentice out the liberated Negroes; and after Seven Days have elapsed from the 'Announcement of such Intention, the hiring or apprenticing of the Negroes shall take place, either 'by public Auction or by Tender, as may be thought best; and the Negroes shall then be dis- 'tributed to their Hirers, upon the Conditions and Stipulations herein-after mentioned, which

'Conditions

'Conditions and Stipulations shall be published at the Time of Auction or Tender, and shall also be 'embodied in a Contract or Indenture to be entered into formally between the Hirer and the 'aforesaid Board. The Contract or Indenture shall be made out in Duplicate; it shall be in Print, 'and not in Writing; one Copy of it shall remain with the Hirer, and the other with the Board, 'under the Care of the Curator.

'When the Sums offered by Two or more different Persons for the hiring of a Negro are equal, 'Preference shall be given to the Person who will undertake to employ such Negro as a Mechanic 'or as a Domestic Servant.

'ARTICLE VII.—The Period of Service for which Apprentices shall be bound shall be Seven 'Years for all Negroes who at the Time of hiring are above Thirteen Years of Age; but Three of 'the Seven Years may be afterwards remitted, at the Discretion of the Board, upon the Recom- 'mendation of the Master, and upon Proof that the Apprentice is capable of earning an honest 'Livelihood, and is worthy of such Indulgence.

'The Apprenticeship of Negroes who at the Time of hiring are under Thirteen Years of Age shall 'continue till the Age of Twenty, subject to a Diminution of that Term at the Discretion of the 'Board, upon due Proof being given that the Apprentice is worthy of such Indulgence, and is capable 'of maintaining himself.

'ARTICLE VIII.—When more Apprentices than One are confided to the same Master, Care 'shall be taken to select for that Purpose such as are of the same *African* Nation, and, if possible, 'of the same Family; and in no Case shall a Child under Fourteen Years of Age be separated 'from its Mother, but such Child shall always be apprenticed to the same Master with its Mother.

'ARTICLE IX.—The Name and Address of the Master, together with the Name and Position of 'the Estate or House where the liberated Negro is to be resident, shall be inserted opposite to the 'Name of the Negro in his Contract or Indenture.

'ARTICLE X.—No Negro shall be apprenticed to any Master who resides more than Twenty '*English* Miles from the Town where the Mixed Commission by which he was liberated is estab- 'lished; and if any Master to whom such Negro shall have been so apprenticed shall afterwards 'change his Residence, he shall be required to give immediate Notice thereof to the Curator.

'The Apprentices must always reside at that particular Estate or House of the Master which is 'registered as being within the above-mentioned Distance from the Place of sitting of the Mixed 'Commission.

'ARTICLE XI.—No Person shall be intrusted with One or more liberated Negroes unless he shall 'prove to the Board that he possesses ample Means for the Employment, Maintenance, and Support 'of such Negro or Negroes, and unless he shall make himself answerable, under the Penalty of 'Eighty Dollars for each Negro, that the Conditions under which such Negro is received shall be 'duly observed.

'ARTICLE XII.—The Master shall engage to pay a stipulated Sum for the Hire of each 'Apprentice.

'The Curator may, if the Amount is to be paid down in One Sum, demand it previously to the 'Hire, and if the Sum is to be periodically paid, the Curator may demand the same quarterly in 'advance.

'ARTICLE XIII.—The Master shall undertake,—

'First,—That the Apprentice shall be maintained with wholesome and abundant Food, and shall 'be provided with such Clothes as are usual according to the Custom of the Country.

'Secondly,—That he shall be instructed in the Truths of the Christian Religion, in order that he 'may be baptized before the Expiration of the Second Year of his Apprenticeship.

'Thirdly,—That he shall be vaccinated as soon as possible after having been delivered into the 'Charge of the Master; that in Sickness he shall have proper medical Advice, and shall be treated 'with due Care and Attention; and that in case of Death he shall be decently buried at the 'Master's Expence.

'Fourthly,—That the Apprentice shall be taught some useful Business, or be instructed in 'some Trade or mechanical Art, whereby he may be enabled to maintain himself when the Period 'of his Service shall have expired.

'Fifthly,—That whenever an Infant is born of any Female Apprentice, immediate Information 'thereof shall be given by the Master to the Board of Superintendence, in order that the Fact may 'be duly registered.

'Sixthly,—That Baptism of an Infant so born shall take place within Three Months after its 'Birth, and that the Freedom of the Child shall be recorded in the Register of Baptism; but 'that such Child shall remain with its Mother, and shall be maintained and treated by the Master 'of the Mother in the same Manner as an Apprentice until the Apprenticeship of the Mother 'ceases.

'ARTICLE XIV.—No Master shall in any Case be authorized to transfer to another Master his 'apprenticed Negro without the especial and written Sanction of the Board; and if the Master shall 'leave the Country, or shall change his Residence to a Part of the Country beyond the Limits 'herein-before fixed for Persons having Apprentices, or if he shall become so reduced in his 'Circumstances as to be obliged to give up his Establishment, then and in any of these Cases he 'shall report the same to the Board, and shall bring his Apprentices, and deliver them up to the

'said Board, by whom they shall be received, and shall afterwards be apprenticed to another Master 'for the Remainder of the Period which such Apprentices may have to serve, and under the same 'Conditions as those imposed upon the first Master, but in no Case shall the Master be allowed to 'deliver up his Apprentice to any other Authority than to the said Board, or to the Curator, under 'the Orders of the Board.

'If any Apprentice shall be guilty of Crimes which render him obnoxious to the Laws of the 'Country, or shall be guilty of habitual Drunkenness, Insubordination, wilful Carelessness, or 'Destruction of his Master's Property, the Master may in such Case bring him before the Board 'of Superintendence, and upon Proof of the Facts the said Board shall have Power to cancel the 'Indentures.

'ARTICLE XV.—If an Apprentice should run away, his Master shall give immediate Information 'thereof to the Curator, who shall instantly proceed to a summary Investigation of the Fact, for 'the Information of the Board of Superintendence.

'Any Master who shall be proved to have improperly disposed of an Apprentice whom he has 'reported as dead or absconded shall pay as a Fine the Sum of Three hundred Dollars.

'The Half of this Fine shall be paid to the Informer, and the Remainder to the Curator, to be 'placed at the Disposal of the Board for the Purposes herein-after mentioned.

'ARTICLE XVI.—If an Apprentice should fall sick, the Master shall give immediate Notice 'thereof to the Curator, in order that he, or One of his Assistants, may visit such Apprentice, and 'report to the Board the Nature of his Disorder, and the Manner in which such sick Negro is taken 'care of.

'If an Apprentice should die, Notice thereof shall immediately be given to the Curator, in order 'that he, or One of his Assistants, may attend, for the Purpose of ascertaining that the deceased 'Negro was really and truly the Apprentice described as such in the Register.

'For this Purpose the Curator or his Assistant shall make such Inquiries as he may judge 'necessary, interrogating the Inhabitants of the House in which the Negro has died, the Neighbours 'or other Persons, and shall take such other Means as he may judge necessary to enable him to 'ascertain the Truth, in order that the Burial of the Negro, which is to be at the Expence of the 'Master, may take place without further Delay.

'A summary Report of the Result of this Inquiry shall then be drawn up officially by the 'Curator, and shall be delivered without Delay to the Board.

'The Curator, after having identified the Body of an Apprentice who may have died, shall 'investigate the Cause of the Death, and if the Death shall appear to have been natural he shall 'note that Fact in the Register.

'If the Cause of Death be doubtful, or shall appear to be otherwise than natural, he shall inter- 'rogate the other Negroes and other Inhabitants of the House, and shall take such other Means as may 'appear necessary to ascertain the Facts of the Case; and if there shall appear Reason to suspect 'that the Death of such Negro has been occasioned by Violence, improper Usage, or culpable 'Neglect, he shall take the proper Course for bringing the Offender to Trial before the Courts of the 'Country.

'ARTICLE XVII.—If the Master of any Apprentice shall commit any Breach of these Conditions, 'a Fine shall be imposed upon him of not less than Fifty and not exceeding One hundred Dollars, 'one Half of which shall go to the Informer, and the other Half shall be placed at the Disposal of 'the Board of Superintendence, for the Purposes herein-after mentioned; and in case of any gross 'Misconduct of the said Master towards his Apprentice, such Master shall, if the Board of Superin- 'tendence shall think fit, besides paying the above-mentioned Fine, forfeit all further Right to the 'Services of the Apprentice, and the said Apprentice shall be taken from such Master, and shall be 'apprenticed to another Master for the Remainder of his Term of Apprenticeship.

'ARTICLE XVIII.—If the Master of an Apprentice shall die, his Heir, or the Person to whom 'the Possession of such Apprentice shall devolve, shall, within Four Days after the Death of such 'Master, report the same to the Board of Superintendence.

'The Board shall thereupon issue their Order to the Curator to bring the Apprentice before them; 'and when the Apprentice is so brought the Board shall apprentice him to another Master under 'the established Conditions.

'If the Heir, or the Person in possession of such Apprentice, shall neglect to report the Death of 'the Master within Four Days, he shall pay One Dollar a Day for each apprenticed Negro belonging 'to such deceased Master until he shall have delivered them all up to the said Board, and he shall, 'moreover, be subject to the other Penalties which attach to the Nonperformance of the Conditions 'established by these Regulations.

'ARTICLE XIX.—If any liberated Negro be apprenticed to or hired by the Government, the 'Contract shall contain the same Conditions and Stipulations in regard to the Negro as are herein- 'before prescribed for Cases in which the Negro is apprenticed to a private Individual.

'ARTICLE XX.—Liberated Negroes shall, at the Discretion of the Board of Superintendence, 'and when it shall be ascertained that their own free Will has been previously obtained, be 'permitted to become Soldiers or Sailors in the regular Land or Sea Forces of the State in 'whose Territories they shall have been emancipated.

'The

'The Board shall take care in such Case to ascertain that the Negroes fully understand and are 'aware of the Nature of the Engagement which they enter into by so enlisting.

'The Government in whose Service the Negroes enlist shall sign a Receipt for them, which Receipt 'shall be delivered to the Curator at the Time of the Enlistment, and the Board shall take Means 'to ensure that the full and permanent Emancipation of such Negroes shall be secured to them, 'according to the true Spirit of these Regulations.

'ARTICLE XXI.—Those liberated Negroes who may not be apprenticed, or who may not have 'enlisted in the Sea or Land Forces of the State to which the Colony or Possession in which they 'may be belongs, or whose Indentures shall have become void or shall have been cancelled, shall be 'provided for by the Government of such Colony or Possession.

'They shall be kept within Twenty Miles of the Place where the Mixed Commissioners are sitting.

'The Expence of maintaining and supporting such Negroes shall be borne by the Government 'of the Colony, but they shall be under the Care and Superintendence of the Board and Curator; 'and the present Regulations shall be applicable to them in every respect, excepting as regards 'Apprenticeship.

'ARTICLE XXII.—The Curator shall endeavour by means of an Interpreter to explain to each 'Negro the Nature of any Contract by which he may become bound, and shall inform him that 'if he should at any Time be ill-treated by his Master he must make his Complaint to the Curator, 'or to the Board of Superintendence of liberated Negroes.

'ARTICLE XXIII.—It shall be the Duty of the Curator or of his Assistant to visit once at least 'in every Three Months all Places where there are any liberated Negroes under the Superintendence 'of the Board. He shall examine and inspect all such Negroes, receive their Complaints, inquire 'into those Complaints, and search out the Truth, and investigate any Abuses that may affect the 'said Negroes, and he shall also inquire into the general Conduct of the Negroes themselves.

'The Curator shall then bring to the Notice of the Board every Complaint on the Part of the 'said Negroes, and every Breach of the Conditions and Stipulations of the Contract under which 'the Negroes serve; and in all Cases of well-founded Complaint the Board shall take proper Means 'for affording Redress.

'The Inspections above prescribed are not to be made at stated Periods, but at uncertain Times, 'and unexpectedly.

'The Curator shall also report to the Board every Three Months the State in which he finds the 'liberated Negroes, and his Report shall be entered in a Book to be kept for that Purpose, to 'be called "Curator's Reports," and to be deposited in the Office of the Board, so that on reference 'thereto the Condition and Behaviour of every liberated Negro may be easily known.

'ARTICLE XXIV.—All Proceedings of the Curator, together with a Statement of all Facts which 'may from Time to Time come to his Knowledge respecting the liberated Negroes, shall be imme- 'diately communicated by him to the Board of Superintendence, and he is not to institute any 'Proceedings nor to take any Steps in respect of such Negroes without the Knowledge and Sanction 'of the Board.

'ARTICLE XXV.—The Curator shall receive all the Sums which are to be paid for the Hire of 'Apprentices, and all the Monies arising from Penalties incurred by Masters, and shall render an 'Account thereof to the Board of Superintendence.

'The Amount is to be applied to the Purposes herein-after mentioned.

'ARTICLE XXVI.—When the prescribed Term of Service of any Apprentice shall have expired, 'the Curator shall, under the Direction of the Board of Superintendence, summon such Apprentice, 'together with his Master, to appear before the said Board; the Master shall then give up to the 'Board the Indenture of the Negro, and the Negro shall receive from the Board a Certificate, 'specifying that such Negro has completed the Term of his Apprenticeship, and is entitled to all the 'Rights and Privileges of a free Person.

'The Curator shall see that this Certificate be authenticated and registered, according to the 'Custom of the Country.

'ARTICLE XXVII.—The Board of Superintendence shall have the Power to admonish the Curator, 'and any other Officer serving under the Board, if such Curator or other Officer shall fail to 'execute his Duty faithfully; and if the Board shall see necessary they may dismiss such Curator 'or other Officer, and appoint Successors.

'ARTICLE XXVIII.—The necessary Proceedings for recovering such Sums as may be due from 'Masters on account of the Hire of Apprentices, and for enforcing the Payment of the several Fines 'and Penalties herein-before imposed, shall be instituted in the proper Courts of Law of the Country 'where the Boards of Superintendence shall respectively reside, and shall be carried on at the Instance 'of the Board.

'The Expences of such Proceedings shall be defrayed as herein-after mentioned; and the High 'Contracting Parties hereby engage that within Six Months from the Exchange of the Ratifications 'of the Treaty to which these Regulations are annexed they will grant the requisite Authority and 'Powers to the Courts of Law of the Country where the Boards of Superintendence are respectively 'held to take cognizance of the Actions which for the due Execution of these Regulations may be 'brought in such Courts of Law at the Instance of the Boards, so that the Penalties herein-before 'mentioned may be recovered, and the Levy of the Monies herein-before mentioned may be enforced,

'and the Payment of the Amount thereof may be made to the Person appointed by these Regulations 'to receive such Penalties and Monies.

'ARTICLE XXIX.—The Money arising from the Hire of liberated Negroes, and also from the 'Penalties incurred by the Masters, shall be deposited by the Curator in a Chest with Three Keys, 'One of which shall be kept by each Commissioner of the Board of Superintendence, and One 'by the Curator.

'The Curator shall so deposit the several Sums as soon as he receives them, making previously a 'regular Entry of the Receipt in a Book to be kept for that Purpose.

'This Money shall be applied in the following Manner; (that is to say,) a Portion thereof, at 'the Discretion of the Board of Superintendence, shall be paid to the Curator, and to the other Officers 'employed under the said Board, for their Salaries; so much of the remaining Portion as shall be 'needful shall be applied towards defraying the Expence of prosecuting Masters for Breach of 'the Conditions and Stipulations of their Contracts, and also towards defraying the other Expences 'incurred for carrying these Regulations into effect, and the remaining Balance, if any, shall be laid 'out, at the Discretion of the said Board, in the Promotion of the Comfort and Welfare of the 'liberated Negroes, either during their Term of Service, or at its Expiration, and especially in 'Rewards to liberated Negroes for good Conduct.

'The Accounts of these Monies, and of the Manner in which they have been applied, shall, 'at the Expiration of every Year, be made up in duplicate by the Curator; and after these Accounts 'have been examined and approved by the Board, One of such Duplicates shall be transmitted by 'each Commissioner to the Government on whose Part he is acting.

'If the Fund should not prove sufficient to liquidate the just and necessary Demands made for the 'Purposes required, the Deficiency shall be made good, in equal Moieties, by the Two Governments.

'ARTICLE XXX.—In the event of a Difference arising between the Two aforesaid Commissioners 'of the Board, regarding the Appointment of any Officer under them, or regarding any other 'Matter in the Execution of these Regulations, if such Difference shall occur in a *British* Colony or 'Possession, the Board shall call in the Person who officiates in that Colony or Possession as *Portu-* '*guese* Arbitrator to the Mixed Commission under the Treaty; and if the Case shall occur in a '*Portuguese* Colony or Possession, the Board of Superintendence shall call in the Person who 'officiates in that Colony or Possession as *British* Arbitrator to the Mixed Commission under the 'Treaty; and the Board of Superintendence of liberated Negroes thus formed, and being composed 'of the Two Commissioners and of One Arbitrator, shall, by the Majority of Voices, decide all such 'Points of Difference.

'It shall not be permitted to the Members of the Board of Superintendence, nor to any Officer 'acting under them, to demand or receive from any one, excepting as herein specified, any Emolu- 'ment, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon 'them by the present Regulations.

'ARTICLE XXXI.—Nothing that is contained in these Regulations shall be construed to exempt 'any liberated Negro from his Liability as a free Man to be proceeded against for any Offence 'committed by him (except as herein provided for) against the Laws of the Country in which he is 'located; but in all Cases where any Offence against such Laws is imputed to a Negro under the Care 'of the aforesaid Board of Superintendence, the Laws shall be administered to him as to a free 'Man, and the Curator shall, either personally or by a responsible Individual deputed by him for the 'Purpose, attend the Courts of Justice of the Country, to see that Justice is done to the Negro.

'ARTICLE XXXII.—It is further stipulated, with a view to avoid the unnecessary Multiplication 'of Words, that every thing contained in the foregoing Regulations which applies to Masters shall 'be construed as applying equally to Mistresses, and that every thing in the said Regulations with 'respect to Negroes and Apprentices which applies to the Masculine Gender and Singular Number 'shall be construed as applying equally to the Female Sex and to the Plural Number, unless such 'Construction shall be in express Opposition to any other Enactment of these Regulations.

'ARTICLE XXXIII.—These Regulations shall be inserted in the official Gazette or Journal of the 'Countries whose Sovereigns are Contracting Parties to the Treaty, and also in the official Journal or 'Gazette of the Place where the Mixed Commissions are respectively held; and the Government 'of the said Countries shall convey to the said Boards of Superintendence of liberated Negroes, to 'the Curators, and to their Assistants, under those Boards, such Authority as may be requisite to 'enable the said Boards of Superintendence, Curators, and Officers acting under them respectively 'to perform the Duties and to exercise the Powers intrusted to them by these Regulations.

'ARTICLE XXXIV.—The High Contracting Parties agree, that if in future it should appear 'necessary to adopt new Measures, in consequence of those which are laid down in this Annex 'turning out inefficacious, the said High Contracting Parties will consult together, and agree upon 'other Means better adapted for the complete Attainment of the Objects they have in view.

'The undersigned Plenipotentiaries have agreed, in conformity with the Fourteenth Article of the 'Treaty, signed by them on this Day, the Third of *July* One thousand eight hundred and forty-two, 'that the preceding Regulations, consisting of Thirty-four Articles, shall be annexed to the said 'Treaty, and be considered an integral Part thereof.

'The Third Day of *July* One thousand eight hundred and forty-two.

'(L.S.) *Howard de Walden.*

'And

'And whereas the said Treaty was ratified between Her Majesty the Queen of the United Kingdom of 'Great Britain and Ireland and Her Majesty the Queen of Portugal and the Algarves, and such Ratifi- 'cation was exchanged on the Thirtieth Day of July One thousand eight hundred and forty-two: And 'whereas an additional Article to the said Treaty was concluded at Lisbon on the Twenty-second Day of 'October in the Year One thousand eight hundred and forty-two, as follows:

'ADDITIONAL ARTICLE to the Treaty concluded at Lisbon on the Third Day of July One thousand 'eight hundred and forty-two between Great Britain and Portugal for the Suppression of the 'Traffic in Slaves.

'Whereas the Regulations in respect to the Treatment of liberated Negroes, contained in 'Annex (C.) of the Treaty between Her Majesty the Queen of the United Kingdom of Great 'Britain and Ireland and Her Majesty the Queen of Portugal and the Algarves, signed at Lisbon on 'the Third Day of July One thousand eight hundred and forty-two, are by the Thirteenth Article 'of that Treaty declared to be established for the Purpose of guaranteeing the Liberty of such 'Negroes:

'And whereas within the British Colonies in which, in pursuance of the said Treaty, Mixed Com- 'missions have been established, there are already in force, or may be hereafter enacted, Laws or 'Regulations having the Force of Law better adapted for the Purpose aforesaid, and the Maintenance 'of such Laws or Regulations would therefore be more in accordance with the salutary End which 'the Two High Contracting Parties have in view:

'It is therefore agreed that in the British Colonies where such Mixed Commissions are established, 'and where the existing Laws or Regulations having the Force of Law on the Subject of the Treat- 'ment of liberated Negroes are already better adapted than the Regulations contained in the Annex '(C.) to guarantee the Liberty of Negroes liberated under the said Treaty, the Mixed Commissions 'shall consider such Laws or Regulations as superseding the special Regulations of Annex (C.), 'inasmuch as they may, either wholly or in part, be more beneficial to the said liberated Negroes.

'It is equally agreed that the Mixed Commissions established in the Colonial Dominions of either 'of the Two High Contracting Parties, in virtue of the aforesaid Treaty, shall be empowered with 'full Authority to admit in future similar Substitutions in the Case of any Laws or Regulations 'having the Force of Law being hereafter enacted in the Colonies of Her Britannic Majesty or in 'the Colonies of Her most Faithful Majesty better adapted to guarantee the Liberty and insure the 'Welfare of the liberated Negroes in the said Colonies.

'Any such Laws or Regulations having the Force of Law by which any of the Regulations of 'Annex (C.) shall be superseded under this Article shall be duly communicated, as the Case may be, 'by the one to the other of the High Contracting Parties.

'The present additional Article shall have the same Force and Validity as if it had been inserted 'Word for Word in the aforesaid Treaty of the Third Day of July One thousand eight hundred 'and forty-two.

'It shall be ratified, and the Ratifications thereof shall be exchanged at Lisbon, at the Expiration 'of Six Weeks from the Date of its Signature, or sooner if possible.

'In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto 'the Seals of their Arms.

'Done at Lisbon the Twenty-second Day of October in the Year of our Lord One thousand 'eight hundred and forty-two.

'(L. S.) *Howard De Walden.*

'And whereas the said additional Article was also ratified between Her Majesty the Queen of the United 'Kingdom of Great Britain and Ireland and Her Majesty the Queen of Portugal and the Algarves, and 'such Ratification was exchanged at Lisbon on the Twenty-fourth Day of November in the Year One 'thousand eight hundred and forty-two: And whereas it is expedient and necessary that effectual Pro- 'vision should be made for carrying into execution the Provisions of the said Treaty, Annexes, and 'additional Article:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officer commanding any Ship of War of Her Majesty or of the Queen of Portugal not below the Rank of Lieutenant of the Royal Navy, (unless by the Death of the Commander of such Ship, or otherwise, the Command thereof shall have devolved upon an Officer of inferior Rank, and then for such last-mentioned Officer,) and who shall be duly instructed and authorized according to the Provisions of the said Treaty, and for any Officer not below the Rank of Lieutenant in the Royal Navy, who shall be acting under the Orders of any Officer commanding a Ship of War so instructed and authorized as aforesaid, to visit and search any Merchant Vessel of either of the said Two Nations which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, excepting within the Mediterranean Sea, or within the Seas in Europe lying without the Straits of Gibraltar and which lie to the Northward of the Thirty-seventh Parallel of North Latitude, and also within and to the Eastward of the Meridian of Longitude Twenty Degrees West of Greenwich, and to detain and send or carry away such Vessel, together with its Masters, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication before One of the Mixed Commissions to be established in virtue of the Sixth Article of the

Officers commanding Ships of Her Majesty or of the Queen of Portugal, being duly authorized, empowered to visit and search Merchant Ships of the Two Nations within certain Limits.

the said Treaty; and all such Commanders and other Officers in the Exercise of such Rights shall comply with the several Provisions and Instructions of the said Treaty which apply thereto respectively.

Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search and Detention.

II. And be it enacted, That all Ships and Vessels belonging wholly or in part to Her Majesty's Subjects which shall be suspected upon reasonable Grounds of being engaged in the Traffic in Slaves, or of having been fitted out for that Purpose, or of having been engaged in such Traffic during the Voyage in which such Vessel is met, and all Boats, Apparel, and Cargoes therein, shall be subject to Search and Detention by *British* or *Portuguese* Vessels of War duly authorized for that Purpose according to the Stipulations of the said Treaty, and subject to Condemnation or other Judgment by the Commissioners and Arbitrators of the Mixed Commissions to be appointed according to the Provisions of the said Treaty.

Her Majesty may appoint Commissioners and Arbitrators to decide Cases of Detention.

III. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint such Commissioners and Arbitrators as are in and by the said Treaty mentioned to be appointed by Her Majesty, and from Time to Time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto, and to grant Salaries to such Commissioners and Arbitrators as aforesaid, not exceeding such annual Sums as the Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Commissioners and Arbitrators shall be empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid, detained, seized, or captured under the said Treaty, as are by the said Treaty and by this Act made subject to their Jurisdiction, and to proceed therein, and give such Judgments, and make such Orders therein, and do all other Things appertaining thereto, agreeably to the Provisions of the said Treaty, as fully as if special Powers for that Purpose were inserted in this Act.

Her Majesty may appoint a Secretary or Registrar to the Mixed Court.

IV. And be it enacted, That it shall be lawful for Her Majesty, by any Warrant under Her Royal Sign Manual, countersigned by One of Her Majesty's Principal Secretaries of State for the Time being, to appoint a Secretary or Registrar to each of the Mixed Commissions which shall be established in Her Majesty's Dominions, and from Time to Time to supply by other Appointments any Vacancy which may thereafter occur in such Office, and to grant a Salary to such Secretary or Registrar, not exceeding such annual Sum as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct; and such Secretary or Registrar shall be empowered to perform all the Duties of such Office set forth by the said Treaty, and to do all such Things as may be necessary for the due Discharge of the Duties of his said Office.

In case of the Death or Incapacity from Illness of any British Commissioner of such Courts, or of the British Arbitrator.

V. And be it enacted, That in case of the Death, Sickness, Absence on Leave, or any other legal Impediment of any such *British* Commissioner of either of the said Courts established by virtue of the said Treaty, the *British* Arbitrator of such Court shall fill the Office of such Commissioner *ad interim* until the Office shall be thereafter filled by some Person appointed by Her Majesty, or until such Commissioner shall resume the Duties of his said Office; and that in case of such Vacancy of the Office of *British* Arbitrator of the Commission established by virtue of the said Treaty, in the Possessions of Her Majesty, or in case of the Death, Sickness, Absence on Leave, or other Impediment of the said Arbitrator of the said Commission, the Office of such Arbitrator shall be filled *ad interim* successively by the Governor or Lieutenant Governor resident in such Possession, by the principal Magistrate in the same, and by the Secretary of the Government, until the said Office shall be filled by some Person appointed by Her Majesty, or until such Arbitrator shall resume the Duties of his said Office; and that in case of the Death, Sickness, Absence on Leave, or other legal Impediment of the *British* Arbitrator in the Commission established by virtue of the said Treaty within the Possessions of Her most Faithful Majesty, or of his assuming *ad interim* the Duties of a Commissioner of the said Commission as aforesaid, the Office of such *British* Arbitrator shall be filled *ad interim* successively by the *British* Consul and *British* Vice Consul resident in such Possession; and in case of such Vacancy of the Offices both of such *British* Commissioner and *British* Arbitrator, then that such Office of Commissioner shall be filled by the *British* Consul, and such Office of *British* Arbitrator by the *British* Vice Consul; and in case there shall be no *British* Consul or Vice Consul at such Place, then that it shall be lawful for the *Portuguese* Arbitrator to act in all those Cases in which a *British* Arbitrator, if there were any, would be required to act; and in case of such Vacancy in the Offices both of *British* Commissioner and *British* Arbitrator, and there should be neither a *British* Consul nor *British* Vice Consul resident at such Place, then that it shall be lawful for the *Portuguese* Commissioner and *Portuguese* Arbitrator of such Commission to sit alone in such Commission, and in all Cases brought before them for Adjudication to adjudge the same, and pass Sentence accordingly, until the said Offices shall respectively be thereafter filled by some Person or Persons appointed by Her Majesty, or until the said *British* Commissioner and *British* Arbitrator shall resume the Duties of their said Offices respectively.

Commissioners and Arbitrators to take an Oath.

VI. And be it enacted, That every such Commissioner and Arbitrator so appointed by Her Majesty, before he shall enter upon the Execution of any of the Duties of such his Office, shall take an Oath in the Presence of the principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Commission shall be established, whether belonging to Her *Britannic* Majesty or to Her most Faithful Majesty, which Oath any such Magistrate shall be authorized to administer in the Form following; (that is to say,)

Form of Oath.

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office as faithfully, impartially, fairly, and without Preference or 'Favour, either for Claimants or Captors or any other Persons; and that I will, to the best of my Judg-

'ment

'ment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions 'contained in the Treaty between Her Majesty and Her most Faithful Majesty, signed at *Lisbon* on the 'Twenty-eighth Day of *June* in the Year One thousand eight hundred and thirty-five.'

Secretary or Registrar to take an Oath.

And every Secretary or Registrar appointed by Her Majesty under the Provisions of the said Treaty and of this Act, before he enters on the Duties of his said Office, shall take an Oath before One of the Commissioners of the said Commission, who shall be empowered to administer the same, in the Form following; (that is to say,)

'I *A.B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the 'Execution of my Office, and that I will conduct myself with Respect to the Authority of the Com-'missioners and Arbitrators of the Commission to which I am attached, and will act with Fidelity in all 'the Affairs which may belong to my Charge, and without Preference or Favour either for Claimants or 'Captors, or any other Persons.'

Commissioners and Arbitrators may administer Oaths.

VII. And be it enacted, That it shall be lawful for the said Commissioners or Arbitrators, or either of them, or for any such Secretary or Registrar, to administer Oaths to and take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the course of any Proceeding before the said Commissioners or Arbitrators under the said Treaty and this Act; and it shall also be lawful for the said Commissioners and Arbitrators to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Proceeding under their Cognizance, and to send for and issue Precepts for the producing all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts by such and the like Means, Powers, and Authorities as any Court of Vice Admiralty may do.

Punishing Persons giving false Evidence.

VIII. And be it enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding before the Commissioners or Arbitrators aforesaid, under the said Treaty or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex*.

Pendency of Suits before the Commissioners to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

IX. And be it enacted, That the Pendency of any Suit or Proceeding instituted before the said Commissioners or Arbitrators for the Condemnation or Restitution of any Ship or Cargo of Slaves taken, seized, or detained by virtue of the said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or any thing done in pursuance of the Provisions of the said Treaty.

Commissary Judges and Commissioners of Arbitration already appointed under former Treaties may act until Commissioners and Arbitrators are appointed under this Act.

X. Provided always, and be it enacted, That until the Appointment and Establishment of the Mixed Commissions to be appointed and established under the said Treaty and this Act, it shall be lawful for the Commissary, Judges, and Commissioners of Arbitration, appointed under an additional Convention made between Her Majesty and the Queen of *Portugal* for preventing Traffic in Slaves, and signed at *Lisbon* on the Twenty-eighth of *July* in the Year One thousand eight hundred and seventeen, and of an Act passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third for carrying into execution the said additional Convention, to do all Things which by the said Treaty of the Third of *July* in the Year One thousand eight hundred and forty-two and by this Act are required and authorized to be done by the Commissioners and Arbitrators of the said Mixed Commission when established, according to the true Intent and Meaning of the said last-mentioned Treaty and of this Act.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

5 G. 4. c. 113.

XI. And be it declared and enacted, That if any of the Particulars specified in the Ninth Article of the said Treaty shall be found in the Outfit and Equipment of or on board of any such Merchant Vessel wholly or in part owned by Subjects of Her Majesty, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the Slave Trade, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful by an Act of Parliament passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade.*

Captured Negroes to be delivered over.

XII. And be it enacted, That immediately after Sentence of Condemnation upon a Vessel charged with being concerned in illegal Slave Trade shall have been passed by the Mixed Commissions established under the said Treaty, all Negroes or others who were on board of such Vessel, and who were brought on board for the Purpose of being consigned to Slavery, shall be delivered over to the Government to whom belongs the Cruiser which made the Capture.

Existing Laws to supersede special Regulations of Annex (C.) in certain British Colonies.

XIII. And be it enacted, That in the *British* Colonies where such Mixed Commissions are established, and where the existing Laws or Regulations having the Force of Law on the Subject of the Treatment of liberated Negroes are already better adapted than the Regulations contained in the Annex (C.) to the said Treaty to guarantee the Liberty of Negroes liberated under the said Treaty, the Mixed Commissions shall consider such Laws or Regulations as superseding the special Regulations of Annex (C.), inasmuch as

as they may either wholly or in part be more beneficial to the said liberated Negroes; and it shall be lawful for Her Majesty to make such further general or special Order or Orders in Council from Time to Time; and any Indenture of Apprenticeship, duly made and executed by any Person or Persons to be for that Purpose appointed by or on behalf of Her Majesty's Government, shall be of the same Force and Effect as if the Party thereby bound as an Apprentice had himself or herself, when of full Age, upon good Considerations, duly executed the same; and every such Person who shall be enlisted or entered into Her Majesty's Land or Sea Forces as a Soldier, Seaman, or Marine shall be dealt with in all respects as if he had voluntarily so enlisted or entered himself.

Special Regulations of Annex (C.) may be superseded in other British Colonies.

XIV. And be it enacted, That the Mixed Commissions established in the *British* Colonies, in virtue of the aforesaid Treaty, shall be empowered with full Authority to admit in future similar Substitutions in the Case of any Laws or Regulations having the Force of Law being hereafter enacted in the *British* Colonies better adapted to guarantee the Liberty and ensure the Welfare of the liberated Negroes in the said Colonies.

Vessels condemned to be sold for Her Majesty's Service or broken up.

XV. And be it enacted, That any Ship or Vessel which shall be condemned under any such Authority as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or, if not so taken, shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof, and of the Goods, Wares, and Merchandize laden therein, shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

XVI. And be it enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in violation of the said Treaty, shall be seized by any Ship or Vessel belonging to Her Majesty, duly authorized to make such Seizure under the Provisions of the said Treaty, and shall be afterwards condemned by any of the Commissions appointed in virtue of the said Treaty, there shall be paid to the Captors the Portion to which Her Majesty is entitled, such Portion to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Bounty for Slaves captured.

XVII. And be it enacted, That there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the said Treaty a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board a *British* or *Portuguese* Ship or Vessel taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, such Bounty to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order by any Order in Council or by any Proclamation to be made for that Purpose.

Bounty on Tonnage of Slave Ships captured and demolished.

XVIII. And be it enacted, That where any Ship or Vessel which shall have been seized and condemned under the Provisions of the Treaty aforesaid shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel, at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized, an additional Bounty to be paid.

XIX. And be it enacted, That where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel, at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof, by the best Evidence which can be obtained, to be certified by the Commissioners by whom such Condemnation shall be pronounced: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of the Consolidated Fund.

XX. And be it enacted, That all Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the Provisions of any such Treaties or Conventions, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to Payment of Fees.

XXI. And be it enacted, That the said Bounty, as also all Bounties payable under any of the Acts for the Abolition or Suppression of the Slave Trade, shall not hereafter be charged with Treasury Fees or Exchequer Fees of any Description.

Proof of Tonnage.

XXII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the

XXIII. Provided always, and be it enacted, That in order to entitle the Captors to receive the said Bounty Money, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the

the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves. Commissioners of the Treasury.

XXIV. And be it enacted, That where any Slaves or Persons treated as Slaves shall be seized on board any *British* or *Portuguese* Ship or Vessel, taken and condemned in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over. One Moiety of this Bounty only to be paid in certain Cases.

XXV. Provided also, and be it enacted, That any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *British* or *Portuguese* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure. Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XXVI. And be it enacted, That all the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich* Hospital, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War. Regulations and Penalties respecting Prize Agents Accounts extended.

XXVII. And be it enacted, That where any Ship or Vessel belonging in whole or in part to Subjects of Her Majesty or of Her most Faithful Majesty shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, and the said Ship shall be restored by Sentence of the Commission as is mentioned in the Fifth Article of the Annex (B.) to the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded according to the Provisions of the said last-mentioned Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury. Commissioners of the Treasury may order Payment of Costs awarded for Vessels of Her Majesty and of Her most Faithful Majesty detained but not condemned.

XXVIII. And be it enacted, That when any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make such Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expences as the Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof. Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expences incurred by him.

XXIX. Provided always, and be it enacted, That if any of the Things specified in the Ninth Article of the said Treaty shall be found on board any Vessel which shall be detained and brought before either of the said Commissioners, neither the Master nor the Owner, nor any Person whatsoever interested in the Equipment or Cargo of the Vessel, shall recover any Compensation or Damages for such Detention, although the said Commissioners should not pronounce any Sentence of Condemnation. No Compensation when any Things specified in Ninth Article found on board.

XXX. 'And whereas by the Eighth Article of the said Treaty it was agreed that the Mixed Commissions 'which were then established and sitting under the Convention concluded between *Great Britain* and '*Portugal* on the Twenty-eighth Day of *July* One thousand eight hundred and seventeen should continue 'to sit, and during Two Months, to be reckoned from the Exchange of the Ratifications of the said 'Treaty, and until the further Appointment and definitive Establishment of the Mixed Courts of Justice 'under the said Treaty, should adjudge, without Appeal, the Cases of such Vessels as might be sent or 'brought before them, according to the Principles and Stipulations of the said Treaty and of the several 'Annexes thereof: And whereas in conformity with the said Treaty certain Officers of Her Majesty's Navy 'were instructed and authorized to search and detain any *British* or *Portuguese* Merchant Vessel actually 'engaged or suspected to be engaged in the Slave Trade, or to be fitted out for the Purpose thereof, or to 'have been engaged in the Traffic in Slaves during the Voyage in which she might be met with by such 'Officer, and to bring or send such Merchant Vessel for Judgment: And whereas it may have happened 'that under the said Authority and Instructions *British* and *Portuguese* Merchant Vessels may have 'been already and before the passing of this Act detained and brought or sent before the Mixed Commis-'sions established and sitting under the said additional Convention between *Great Britain* and *Portugal*, 'concluded on the aforesaid Twenty-eighth of *July* in the Year One thousand eight hundred and seventeen, 'and the Commissioners may have proceeded to adjudge the Cases of such Vessels, and it is expedient 'that all Acts done in conformity with the said Treaty and with the said Instructions should be rendered 'valid, and that all Persons acting under and by virtue of such Authority and Instructions should be 'protected and indemnified;' be it therefore enacted, That all Acts done by or under the Authority of any Officer of Her Majesty's Navy, in conformity with the said Treaty, who may have been instructed and authorized to search and detain and bring or send any Merchant Vessels for Judgment, according to the said Treaty, and all Adjudications and Orders and other Acts which may have been made and done by All Acts performed under the Treaty to be good and sufficient in Law.

the said Mixed Commissions in consequence thereof, shall be deemed to be good in Law; and no Officer of Her Majesty's Navy, or other Person acting under such Instructions and Authority, and in conformity with the said Treaty, and no Commissioner or other Officer of the said Mixed Commissions, shall be liable to any Prosecutions or Suit at Law for any such Acts, Adjudications, or Order so done or made by them respectively as aforesaid.

CAP. LIV.

An Act for extending to *Ireland* the Provisions not already in force there of an Act of the Third and Fourth Years of the Reign of the late King *William* the Fourth, intituled *An Act for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto*, and to explain and amend the said Act. [10th *August* 1843.]

3&4W.4.c.27. ‘WHEREAS an Act was passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto*, and thereby it was (after and amongst other things) enacted, that after the Thirty-first Day of *December* One thousand eight hundred and thirty-three no Person should bring any Quare impedit or other Action, or any Suit to enforce a Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice as the Patron thereof, after the Expiration of such Period as therein-after is mentioned; (that is to say,) the Period during which Three Clerks in succession should have held the same, all of whom should have obtained Possession thereof adversely to the Right of Presentation or Gift of such Person, or of some Person through whom he claims, if the Times of such Incumbencies taken together should amount to the full Period of Sixty Years, and if the Times of such Incumbencies should not together amount to the full Period of Sixty Years, then after the Expiration of such further Time as with the Times of such Incumbencies would make up the full Period of Sixty Years: Provided always, and it was thereby further enacted, that when, on the Avoidance after a Clerk should have obtained Possession of an Ecclesiastical Benefice adversely to the Right of Presentation or Gift of the Patron thereof, a Clerk should be presented or collated thereto by His Majesty or the Ordinary by reason of a Lapse, such last-mentioned Clerk should be deemed to have obtained Possession adversely to the Right of Presentation or Gift of such Patron as aforesaid; but that when a Clerk should have been presented by His Majesty upon the Avoidance of a Benefice in consequence of the Incumbent thereof having been made a Bishop, the Incumbency of such Clerk should for the Purposes of that Act be deemed a Continuation of the Incumbency of the Clerk so made Bishop; and by the said Act it was further enacted, that in the Construction thereof every Person claiming a Right to present to or bestow any Ecclesiastical Benefice as Patron thereof, by virtue of any Estate, Interest, or Right which the Owner of an Estate Tail in the Advowson might have barred, should be deemed to be a Person claiming through the Person entitled to such Estate Tail, and the Right to bring any Quare impedit, Action or Suit, should be limited accordingly: Provided always, and it was thereby further enacted, that after the said Thirty-first Day of *December* One thousand eight hundred and thirty-three no Person should bring any Quare impedit or other Action, or any Suit to enforce a Right to present to or bestow any Ecclesiastical Benefice as the Patron thereof, after the Expiration of One hundred Years from the Time at which a Clerk should have obtained Possession of such Benefice adversely to the Right of Presentation or Gift of such Person, or of some Person through whom he claims, or of some Person entitled to some preceding Estate or Interest or undivided Share, or alternate Right of Presentation or Gift, held or derived under the same Title, unless a Clerk should subsequently have obtained Possession of such Benefice on the Presentation or Gift of the Person so claiming, or of some Person through whom he claims, or of some other Person entitled in respect of an Estate, Share, or Right held or derived under the same Title; and by the said Act it was further enacted, that at the Determination of the Period limited by that Act to any Person for bringing any Writ of Quare impedit, or other Action or Suit, the Right and Title of such Person to the Advowson, for the Recovery whereof such Action or Suit might have been brought within such Period, should be extinguished: Provided always, and it was thereby further enacted, that that Act should not, so far as it related to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice, extend to *Ireland*: And whereas the herein-before in part recited Act, save in so far as it relates to any such Right as last aforesaid, is already in force in *Ireland*, and it is expedient to extend to *Ireland* the whole of the Provisions of that Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the First Day of *January* One thousand eight hundred and forty-four the several Clauses and Enactments in the said Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth contained, and herein-before recited, relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice (the Clause thereof providing that the said Act so far as it relates to any such Right shall not extend to *Ireland* always excepted), shall extend and apply to *Ireland*, and that as fully and effectually as if the same Clauses and Enactments were here repeated, substituting for the said Date of the Thirty-first Day of *December* One thousand eight hundred and thirty-three the said Date of the First Day of *January* One thousand eight hundred and forty-four.

Provisions of 3&4W.4.c.27., relating to Advowsons, &c., extended to Ireland.

Certain Words in those Pro-

II. ‘And whereas it was by the said recited Act enacted, that the Words and Expressions therein mentioned, which in their ordinary Signification have a more confined or a different Meaning, should in

‘that

'that Act, except where the Nature of the Provision or the Context of the Act should exclude such Construction, be interpreted as therein follows; (that is to say,) that the Person through whom another Person is said to claim should mean any Person by, through, or under, or by the Act of whom the Person so claiming became entitled to the Estate or Interest claimed, as Heir, Issue in Tail, Tenant by the Curtesy of *England*, Tenant in Dower, Successor, Special or General Occupant, Executor, Administrator, Legatee, Husband, Assignee, Appointee, Devisee, or otherwise, and also any Person who was entitled to an Estate or Interest to which the Person so claiming, or some Person through whom he claims, became entitled as Lord by Escheat; and that the Word "Person" should extend to a Body Politic, Corporate, or Collegiate, and to a Class of Creditors or other Persons, as well as an Individual; and that every Word importing the Singular Number only should extend and be applied to several Persons or Things as well as One Person or Thing; and that every Word importing the Masculine Gender only should extend and be applied to a Female as well as a Male;' be it therefore further enacted, That the same Words and Expressions shall in this Act be similarly interpreted, extended, and applied.

Provisions to be similarly interpreted.

III. 'And whereas Doubts have been entertained whether the several Periods by the said Act limited for bringing any Quare impedit or other Action, or any Suit to enforce a Right to present to or bestow any Ecclesiastical Benefice as the Patron thereof, apply to the Case of a Bishop claiming to have Right to collate to or bestow any Ecclesiastical Benefice in his Diocese, and it is expedient that all such Doubts should be removed;' be it therefore enacted, That the several Periods limited by the said Act or by this Act for bringing any Quare impedit or other Action, or any Suit to enforce a Right to present to or bestow any Ecclesiastical Benefice, shall apply to the Case of any Bishop claiming a Right as Patron to collate to or bestow any Ecclesiastical Benefice, and that such Right shall be extinguished in the same Manner and at the same Periods as the Right of any other Patron to present to or bestow any Ecclesiastical Benefice: Provided always, that nothing herein contained shall be deemed to affect the Right of any Bishop to collate to any Ecclesiastical Benefice by reason of Lapse.

Removing Doubts as to the Periods limited for bringing any Quare impedit or other Action.

IV. 'And whereas by an Act passed in the *Irish* Parliament in the Session held in the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, intituled *An Act for the explaining of some Doubts arising upon an Act, intituled 'An Act for the better Execution of His Majesty's gracious Declaration for the Settlement of His Kingdom of* Ireland, *and Satisfaction of the several Interests of Adventurers, Soldiers, and other His Subjects there;' and for making some Alterations of and Additions unto the said Act for the more speedy and effectual Settlement of the said Kingdom*, it was enacted, that certain Advowsons and Rights of Patronage, and the Rights of Nomination, Presentation, or Collation to or Donation of certain Ecclesiastical Benefices or Promotions, which had been forfeited by certain *Irish* Papists or Popish Recusants, should vest, remain, and continue in His Majesty, His Heirs and Successors, until such *Irish* Papist or Popish Recusant, or the right Heir of such Papist or Recusant should come to Church, and receive the Sacrament according to the Rites of the Church of *England*, and from and after such Conformity should be again revested in the Person so conforming and his Heirs: And whereas by an Act passed in the Second Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*, it was enacted, that where any Papists, or Persons professing the Popish Religion, did or should claim, enjoy, or possess any Advowson or Advowsons of Churches, Right of Patronage or Presentation to any Ecclesiastical Benefice, or where any Protestant or Protestants did or should hold, claim, enjoy, or possess any Advowson or Advowsons of Churches, or Right of Patronage or Presentation to any Ecclesiastical Benefice or Benefices, in Trust or for the Use and Benefit of any Papist or Papists whatsoever, that every such Advowson, and Right of Patronage or Presentation, should be thereby *ipso facto* vested in Her Majesty, Her Heirs and Successors, according to such Estates as such Papist had in the same, until such Time as such Papist, or the Heir or Heirs of such Papist, should take a certain Oath and subscribe a certain Declaration and Abjuration prescribed by and set forth in the said Act, and should conform to the Church of *Ireland* as by Law established;' be it enacted, That no Possession under any Presentation by the Crown, or Collation by the Ordinary, which may have taken place by reason of the said Act of the Eighteenth Year of the Reign of His Majesty King *Charles* the Second, or of the said Act of the Second Year of the Reign of Her Majesty Queen *Anne*, during the Nonconformity of any such Patron professing the Roman Catholic Religion, shall be deemed an adverse Possession within the Meaning of this Act against the Right of any such Patron or his Heirs, or any Person claiming by, through, or under him or them; provided, that in all Cases in which any Patron shall have conformed to the said United Church within Sixty Years before the passing of this Act, or shall hereafter conform thereto, such Patron, or any Person claiming by, through, or under him, shall not be barred from bringing any such Quare impedit, or other Action or Suit, for the Purpose in the said first herein-recited Act mentioned, before the Expiration of Sixty Years, to commence and be computed from the Day on which such Patron shall have so conformed as aforesaid.

Provisions for the Cases of Roman Catholic Patrons who shall hereafter conform. 18 Car. 2. (I.)

2 Ann. c. 6.

V. Provided always, and be it enacted, That this Act shall not be prejudicial or available to or for any Plaintiff or Defendant in any Action or Suit already commenced, or on or before the said First Day of *January* One thousand eight hundred and forty-five to be commenced, relating to any Right to present to or bestow any Church, Vicarage, or other Ecclesiastical Benefice in *Ireland*.

Act not to apply to Suits commenced before 1st January 1845.

CAP. LV.

An Act for the Amendment of the Proceedings and Practice of the Equity Side of the Court of Exchequer in *Ireland*. [17th *August* 1843.]

'WHEREAS it is expedient that the Laws relating to Proceedings on the Equity Side of the Court of Exchequer in *Ireland* should be amended, and that the Costs and Expences of such 'Proceedings should be diminished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Defendant to any Suit instituted in the said Court shall be duly served in *Ireland* with Process of Subpœna to appear and answer in such Suit, and shall refuse or neglect to appear thereto, an Appearance shall and may, after the Expiration of Eight Days, exclusive of *Sundays* and Holidays, from the due Service of such Subpœna, be entered for such Defendant at the Instance of the Plaintiff, in such Manner and Form as the Court by any general Order or Orders to be made in pursuance of this Act shall direct, and that thereupon such further Proceedings may be had in the Cause as if the Defendant had actually appeared.

If a Defendant has been served with Process, and neglects to appear after Eight Days, an Appearance may be entered, and Proceedings had.

II. And be it enacted, That any Person shall be at liberty to take an Office Copy of so much only of any Pleading, Decree, Order, Report, Exceptions, or other Paper or Document being in any Office of the said Court as he may require, and that, unless the Court shall otherwise specially direct, no Recitals shall be introduced in any Decree or Order of the said Court, but the Pleadings, Petition, Notice, Report, Evidences, Affidavits, Exhibits, or other Matters or Documents on which such Decrees or Orders shall be founded, shall merely be referred to; and it shall be lawful for the Court to make and issue such Rules and Regulations as to the Form of such Decrees and Orders as it may deem necessary or proper for the proper drawing up of such Decrees and Orders, and carrying into effect the Provisions of this Act in regard thereto.

Decrees and Orders of the Court.

III. And be it enacted, That where any Decree or Order of the said Court shall direct any Sale, Mortgage, or other Dispositions of Lands or any other Property whatsoever to be had before any Officer of the said Court, it shall and may be lawful for such Officer to proceed and sell and such Officer is hereby required to proceed and sell, in pursuance of such Decree or Order, the Subject Matter thereby directed to be sold, upon Production of the attested Copy of such Decree or Order signed by the Register, and without in any way requiring an Enrolment of such Decree or Order to be produced to warrant the Sale, Mortgage, or other Disposition by the Decree or Order directed.

Sales or Mortgages under Decrees or Orders of the Court.

IV. And be it enacted, That in all Cases the Service of an attested Copy of any Decree or Order of the said Court shall be a sufficient Service thereof to warrant an Attachment and all subsequent Proceedings for not complying with such Decree or Order; and that it shall and may be lawful for the Court to proceed by Attachment or otherwise, as it shall deem proper, upon the Service of such attested Copy, without requiring an Enrolment of such Decree or Order to be served as a Warrant for any Attachment or subsequent Proceeding for not complying with such Decree or Order.

Service of an attested Copy of a Decree to be sufficient to warrant Attachment.

V. And be it enacted, That when any Person who has been or shall be directed by any Decree or Order of the said Court to execute any Deed or other Instrument, or make a Surrender or Transfer, if it shall appear upon Affidavit or Affidavits, to be made to the Satisfaction of the Court, that such Person refuses, declines, or neglects to execute the same, it shall and may be lawful for the Court, after the Expiration of Ten Days from the Service of the Decree or Order personally and Tender of such Deed or Instrument for Execution, to make an Order, upon Motion in open Court, that the Chief or Second Remembrancer of the said Court shall execute such Deed or other Instrument, or make such Surrender or Transfer, in the Name of such Person, and do all Acts necessary to give Validity and Operation to such Deed or other Instrument; and the Execution of the said Deed or other Instrument, or the Surrender or Transfer, or other Act made or done by such Officer in pursuance of such Order shall in all respects have the same Force and Validity as if the same had been made, done, or executed by the Party himself: Provided always, that it shall and may be lawful for the said Court, if they shall so think fit, to make any Rule or Order for the Substitution of the said Service of such Decree or Order.

If any Person neglects to execute any Deed or Transfer the Court may order the Chief or Second Remembrancer to execute the same.

VI. And be it enacted, That henceforth all Depositions of Witnesses examined in the said Court shall be taken in the First Person, and in no other Form; and that it shall and may be lawful for the Court to make and issue such general Orders as it shall think fit for abolishing or altering any Writ or Writs of Process, or any Pleading or Course of Proceeding, in Suits now pending or hereafter to be commenced in the said Court; and to make and issue such general Orders as it shall think fit for carrying the Provisions of this Act into execution, and also such other Rules and Orders, not being inconsistent with the Enactments and Provisions of this Act, as it shall think fit and proper for simplifying, establishing, and settling the Course of Practice of the said Court and of its several Offices; and by any general Order or Orders to be made and issued from Time to Time to annul, alter, or vary any general Order or Orders which may have been so as aforesaid made and issued, and to make any new general Order or Orders for the Purposes herein-before mentioned, or any of them.

Depositions.
General Orders.
General Orders may be varied.

VII. And be it enacted, That the several Offices of the said Court shall be and continue open for the Despatch of Business upon such Days of the Year and during such Hours in the Day, and that the Officers and Clerks belonging thereto respectively shall attend in such Offices in the Discharge of their several Duties during such Times and for such Number of Hours in each Day, as the Court shall by any general Order or Orders to be issued from Time to Time direct; and that the Officers and Clerks in the

Hours of Business in the several Offices.

the said respective Offices shall give their personal Attendance in their respective Offices in the Discharge of their official Duties during the Times they shall so as aforesaid be directed to attend, unless otherwise engaged in the Business of their respective Offices, or unless prevented by Sickness or other unavoidable Cause: Provided always, that where any Office can be legally executed by Deputy, nothing herein contained, or in any Order to be made in pursuance thereof, shall be construed to confer on the Court any Power not possessed before to compel the Principal to attend in Person.

Duties of Assistant Register, &c.

VIII. And be it enacted, That from and after the Commencement of this Act it shall and may be lawful to and for the Assistant Register of the said Court and the Chief Clerk and Examiner to the Chief Remembrancer of the said Court, and the said Officers are hereby fully authorized, empowered, and directed, to take Affidavits or Affirmations, Answers, Examinations, or other Matters whatever to be put in on Oath in the Equity Side of the said Court of Exchequer and relating to the Business thereof, and to administer the necessary Oaths and Affirmations for that Purpose; and all such Answers, Oaths, Affidavits, or Affirmations shall be of the same Force, Validity, and Effect, and shall and may be filed, used, and acted upon respectively, as fully and effectually to all Intents and Purposes whatsoever, as if the same had been sworn or affirmed before the said Court or all or any of the Barons thereof.

Part of the Suitors Fund to be set apart as a Compensation Fund. 24 G. 3 (I.)

IX. 'And whereas by an Act passed in the Parliament of *Ireland* in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and the Court of Exchequer, by depositing the same in the National Bank; and to prevent the forging and counterfeiting any Draft, Order, or other Voucher for the Payment or Delivery of such Money or Effects, or other Purposes,* it was enacted, that all the Monies and Cash that shall be paid into and deposited in the said Bank on account of the Suitors of the said Court of Exchequer or by Order of the said Court shall be issued and payable as the Court shall direct: And whereas it hath been found that there always hath been a very large Sum of Money belonging to the Suitors of the said Court of Exchequer lying in the said Bank unproductive to the Suitors of the said Court: And whereas it is expedient that a Part of the said Money belonging to the Suitors of the said Court should be rendered productive for the Purposes herein-after mentioned;' be it therefore enacted, That out of the Cash belonging to the Suitors of the said Court which now lies or hereafter may be in the Bank of *Ireland* unproductive to the Suitors a Sum of Thirty thousand Pounds, or such other and further Sum as the Court shall think fit to direct with the Sanction of the Commissioners of Her Majesty's Treasury, shall and may at any Time or Times after the passing of this Act, by any Order or Orders of the said Court, be invested, in One entire Sum or in Parcels, in such Government or Parliamentary Securities as in and by such Order or Orders shall be directed, and be placed to an Account to be intituled "An Account of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," to the Intent that the Interest and annual Profits arising from the Money so to be placed out as aforesaid may be applied for the Purposes herein-after mentioned; and it shall be lawful for the said Court from Time to Time, by any Order or Orders to be made for the Purpose, to change the Security or Securities on which the said Money shall be invested.

Produce of the Fund to be placed to the Account of the Accountant General in the Bank of Ireland.

X. And be it enacted, That the Interest and annual Produce arising from the Securities in which the said Sum shall be invested shall from Time to Time be received by the Governor and Company of the Bank of *Ireland*, and placed to the Credit of the Accountant General of the said Court, in an Account to be opened and called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," the same to be issued and applied pursuant to the Directions of this Act.

Court may direct the same to be called in.

XI. And be it enacted, That if at any Time the Whole or any Part of the said Sum so to be invested shall be wanted to answer any of the Demands of the Suitors of the said Court, then and in such Case the Court may and shall direct the same or any Part thereof to be called in, or the Securities on which the same shall be placed to be disposed of, in order that the Suitors of the said Court may at all Times be paid their respective Demands out of the common and general Cash belonging to such Suitors; but it shall be lawful for the Court at any future Period to replace the Sum so called in, if enabled so to do by any new Investment or Investments of the like Nature, out of the said common and general Cash, and so from Time to Time as Occasion may require.

Surplus of Interest to be invested in Government Securities.

XII. And be it enacted, That the surplus Interest and Produce of the Monies carried to the said Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," beyond what shall be sufficient to answer the Purposes of Compensation under this Act, and also the Interest produced from the Securities purchased with such surplus Interest and Produce, shall from Time to Time, by like Order or Orders of the said Court, be invested in the Purchase of Government or Parliamentary Securities, and carried to the Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," the same to constitute Part of the said Fund, to be issued and applied pursuant to and according to the Directions of this Act.

Officers to make Returns of the Profits of their Office for Seven Years. 4 G. 4. c. 70.

XIII. 'And whereas by and under the Provisions contained in this Act and the Orders to be made in pursuance thereof the Emoluments of the present Register, Assistant Register, and other Officers of the said Court, which arise altogether from the Fees enacted and established by an Act of the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better Administration of Justice in the Equity Side of the Court of Exchequer in* Ireland, may be considerably diminished, and it is just and reasonable that adequate Compensation should be made in such Case to the said present

'Register,

'Register, Assistant Register, and other Officers who hold their respective Offices under the said Act, or 'under Letters Patent pursuant thereto;' be it therefore enacted, That every such Officer of the said Court who shall claim to be entitled to Compensation under this Act shall, within Six Calendar Months next after the Commencement of this Act, make or cause to be made out and rendered to the said Court, and also to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, an Account in Writing of the gross and net Emoluments and also of the Disbursements of his Office in each of the Seven Years next preceding the First Day of *November* One thousand eight hundred and forty-two, and shall also set forth a Particular of the several and respective Acts, Matters, and Things in respect of which any Fee or Emolument shall have been received, charged, or claimed, or, if the Court shall deem it more fitting and reasonable, and shall require him to do so, an Account of the gross and net Amount of any particular Fee or Fees of his Office which may be affected by the Provisions of this Act or by such Orders, and of the Disbursements of his Office in respect thereto, and for which Compensation may be claimed by him, the said Accounts to be verified on Oath, to be sworn in open Court; and the said Court shall thereupon ascertain, by all proper Ways and Means, the gross and net annual Value, according to a fair Average of the said Seven Years, of the said lawful Fees and Emoluments, and also the Disbursements of such Officer as aforesaid.

Officers may make an annual Return to the Court of the Profits of their Office.

XIV. And be it enacted, That it shall be lawful for every Officer claiming Compensation as herein-before mentioned, on the First Day of *Michaelmas* Term One thousand eight hundred and forty-four, and on every succeeding First Day of *Michaelmas* Term, and for One Month thereafter, in each Year respectively, so long as the said Officer shall hold his Office, to make or cause to be made out, and render to the said Court and to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, an Account in Writing for the Year preceding the said First Day of *Michaelmas* Term, to be verified in like Manner, of the gross and net Emoluments of the said Office, and of the Disbursements thereof, or of the gross and net Amount of the said particular Fee or Fees as he shall have been ordered by the Court to account for, for the Seven Years preceding the First Day of *November* One thousand eight hundred and forty-two as herein-before provided, in such Form and with such Particulars of Receipt and otherwise as the Court shall require, and the several and respective Acts, Matters, and Things in respect of which the same shall have been received or claimed, and a Particular of all Allowances and Disbursements made thereof and Charges affecting the same in and for the Year next preceding the First Day of *Michaelmas* Term in each succeeding Year, as herein-before required; and the Court as aforesaid shall ascertain, as it shall think proper, the gross and net Income of such Office, and also the Disbursements thereof, or of such particular Fee or Fees as aforesaid, for and during the Year for which such Account shall be rendered, and the Amount of Compensation to which it shall find such Officer entitled in respect thereof for and during the said Year, and shall declare and certify to the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury the Deficiency, if any, of such net Income, after giving Credit for all the said Allowances, Disbursements, and Charges as aforesaid, from the Average of the Seven Years preceding the First Day of *November* One thousand eight hundred and forty-two so found as aforesaid; and thereupon the Lord High Treasurer or the Commissioners of Her Majesty's Treasury shall, by his or their Warrant or Warrants, order and direct such Amount to be paid to the Officer of the said Court so entitled thereto, and the same shall be paid and payable to the Officer or Officers named in such Warrant or Warrants out of the said Account called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," as far as the same will extend; and in case the said Suitors Fund shall be inadequate to the Payment of the whole Amount of Compensation to be given under this Act, the Amount of the Compensation beyond what can be satisfied out of the said Suitors Fund shall be charged upon and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Officer or Officers named in the Warrant or Warrants of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury as aforesaid, by way of Advance in aid of the said Suitors Fund, to be repaid as herein-after mentioned: Provided always, that an Account or Accounts of all such Compensations shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

In case of Deficiency, the Court may certify it to the Treasury.

If Fund not sufficient, the Remainder to be paid out of the Consolidated Fund.

For repaying Advances out of Consolidated Fund.

XV. Provided always, and be it enacted, That the several Sums of Money which may from Time to Time be paid and advanced out of the Consolidated Fund of the said United Kingdom, by way of Compensation under the Authority of this Act, shall become and remain a Charge in favour of the Crown against the said Account, called "An Account of the Interest and Produce of the Compensation and Fee Fund of the Suitors of the Court of Exchequer in *Ireland*," and the same shall be repaid to the proper Officers of Her Majesty's Exchequer, to be carried to the Credit of the Consolidated Fund, whenever and so soon as the said Suitors Fund shall be relieved from the Payment of the Compensation Allowances awarded under this Act, or any Part thereof; and all such Repayments to the Credit of the said Consolidated Fund shall be made at such Times and in such Manner as the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury shall think proper to order and direct.

Officers swearing falsely to be guilty of Perjury.

XVI. And be it enacted, That every Officer and other Person who shall swear falsely to any Matters respecting which an Oath, either personally or in Writing, is hereby required or authorized to be made, and shall be convicted of so doing wilfully and corruptly, shall be deemed guilty of wilful and corrupt Perjury, and shall suffer the Pain and Penalty of that Offence.

XVII. And

XVII. And be it enacted, That in case any Officer of the said Court entitled to Compensation under this Act shall die or resign or be dismissed from his Office or Employment before the Termination of any Year, the Executors or Administrators of the Person so dying, or the Person himself so resigning or dismissed, shall render such Account as aforesaid for such Part of the Year during which the Person so dying or resigning or dismissed shall have held such Office or Employment, and shall be entitled to claim and receive such Sum, proportioned to that Part of the Year during which such Person shall have held his said Office, as the said Court shall deem just and proper. If Officer dies or resignsduring the Year, his Executors to make Returns.

XVIII. And be it enacted, That it shall be lawful to and for the said Court, if it shall see fit, to refer any Account rendered by any Officer seeking Compensation under this Act to the Chief Remembrancer of the said Court to examine into and report on the same, and to ascertain any Average or other Sum which may be ascertained or certified under this Act; and such Chief Remembrancer shall accordingly examine and inquire into the Amount so referred to him, and the Truth and Accuracy thereof, and perform in respect thereto all other Duties directed by the Court; and he shall have on every such Reference all Powers of examining Witnesses on Oath or otherwise as he possesses on any other Reference or Inquiry which by Law or by the Practice of the said Court it is competent to him to enter into. Court may refer Accounts of Officers to Chief Remembrancer.

XIX. And be it enacted, That nothing herein contained shall be construed to prevent any Person now holding any Office or Employment or that shall hereafter hold any Office or Employment in the said Court from being dismissed therefrom as if this Act had not been made, or to give him any greater or other Interest in such Office or Employment than he might have lawfully claimed or exercised if this Act had not been passed. Act not to prevent Dismissal of Officers.

XX. And be it enacted, That no Person who after the passing of this Act shall be appointed to any Office or Employment in or belonging to the said Court shall be deemed entitled to prefer any Claims for or to obtain any Compensation in respect of any Alteration of any Kind whatsoever which shall be made by lawful Authority in the Constitution, Process, Practice, Pleadings, or other Proceedings, or in the Constitution, Duties, or Emoluments of any of the Offices or Employments in the said Court. Officers hereafter appointed not to be entitled to Compensation.

XXI. Provided always, and be it enacted, That nothing in this Act contained shall annul or vary the Provisions of an Act of the Seventh Year of King *George* the Second relating to *Ireland*, intituled *An Act for the Relief of Mortgagees, and for making the Process in Courts of Equity more effectual against Mortgagors who abscond and cannot be served therewith, and against Persons who, being served, refuse to appear, and also for better regulating the Payment of the Fees of Attorneys and Solicitors*; or of an Act of the Twenty-eighth Year of the Reign of King *George* the Third relating to *Ireland*, intituled *An Act for the better securing of Purchasers of Lands under Decrees in Courts of Equity*; or of an Act of the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to effectuate the Service of Process issuing from the Courts of Chancery and Exchequer in* England *and* Ireland *respectively*; or of an Act of the Fourth and Fifth Years of His said late Majesty, intituled *An Act to amend and extend an Act of the Second Year of His present Majesty, to effectuate the Service of Process issuing from the Courts of Chancery and Exchequer in* England *and* Ireland; or of an Act of the First Year of the Reign of His said late Majesty, intituled *An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees, and for enabling Courts of Equity to give effect to their Decrees and Orders in certain Cases*; or of another Act of the First Year of the Reign of His said late Majesty, intituled *An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Idiots, Lunatics, and Persons of unsound Mind*; or of an Act of the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act for altering and amending the Law regarding Commitments by Courts of Equity for Contempts, and the taking Bills* pro confesso, *in* Ireland; or of another Act of the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to extend to* Ireland *certain Provisions of an Act made and passed in the First Year of His present Majesty's Reign, intituled 'An Act for consolidating and amending the Laws relating to Property 'belonging to Infants, Femes Covert, Lunatics, and Persons of unsound Mind,'* or any of them, except so far as they are inconsistent with any of the Provisions of this Act. Certain Acts exempted from Operation of this Act. 7 G. 2. (I.) 28 G. 3. (I.) 2 & 3 W. 4. c. 33. 4 & 5 W. 4. c. 82. 11 G. 4. & 1 W. 4. c. 60. 11 G. 4. & 1 W. 4. c. 65. 5 & 6 W. 4. c. 16. 5 & 6 W. 4. c. 17.

XXII. And be it enacted, That this Act and the several Provisions therein contained, except where otherwise specially directed, shall commence and take effect from the First Day of *Michaelmas* Term One thousand eight hundred and forty-three. Commencement of Act.

XXIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

C A P. LVI.

An Act for the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in *Ireland*, and for the Appropriation thereof. [17th *August* 1843.]

'WHEREAS it is expedient to make better Provision for levying and accounting for all Fines, 'Issues, Deodands, Amerciaments, and forfeited Recognizances in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual levying of Fines, Penalties, Issues, Deodands, and Amerciaments, and of forfeited Recognizances estreated, in* Ireland, *and for the Application and Distribution thereof*; and also so much of an Act passed in the Session of Parliament Repeal of 1 & 2 Vict. c. 99, and certain Parts of 2 & 3 Vict. cc. 75. 78.

ment holden in the Second and Third Years of the same Reign, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, as relates to the Fines, Penalties, Deodands, Amerciaments, and forfeited Recognizances contained in any List or Warrant transmitted to any County or Sub Inspector of the Constabulary Force, pursuant to the Provisions of the said first-recited Act; and also so much of an Act passed in the said Session of Parliament holden in the Second and Third Years of Her present Majesty's Reign, intituled *An Act to make further Provisions relating to the Police in the District of* Dublin *Metropolis*, as relates to the Lodgment and Application of and accounting for any Fine, Penalty, or Forfeiture imposed or adjudged by any Justice or Justices within the Police District of *Dublin* Metropolis, shall be and the same are hereby repealed, save and except as to any Act, Matter, or Thing heretofore done by virtue thereof, and also save and except as to any Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues which may or shall have been imposed, estreated, or levied at any Time previous to the passing of this Act, all which Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues shall be imposed, estreated, or levied, paid, accounted for, and applied in like Manner, and all which Acts, Matters, and Things shall be good, valid, and effectual to all Intents and Purposes as if this Act had not been passed.

Entries of all Fines, &c. to be made by Officers of Courts and others in a Book to be kept for the Purpose.

II. And be it enacted, That when and as often as any Fine, Penalty on summary Conviction or otherwise, Deodand, or Amerciament shall hereafter be imposed or adjudged by any Court in *Ireland*, or by any Coroner or Justices or Justice of the Peace or public Officer empowered to impose the same, and as often as any Recognizance shall be forfeited and ordered to be estreated, or any Issues shall be directed to be levied in or by any such Court or Authority, the Clerk of the Crown, Judges Register, Clerk of the Peace, Town Clerk, or other Officer of such Court, or the Person whose Duty it is to attend and make Entries of the Proceedings thereof, or if there be no such Officer, then the Person imposing or adjudging such Fine, Penalty, Deodand, or Amerciament, or ordering such Recognizance to be estreated or Issues to be levied, shall forthwith enter the same in a Book to be by him kept for the Purpose in the Form in the Schedule (A.) to this Act annexed: Provided always, that all Fines imposed by any Justices or Justice of the Peace on summary Conviction out of Petty Sessions shall be entered in the Form aforesaid by the Clerk of the Petty Sessions to which the same shall have been reported, pursuant to the Provisions of an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in* Ireland.

Fines imposed out of Petty Sessions shall be entered by Clerk of Petty Sessions. 7 & 8 G. 4. c. 67.

List of Entries and Warrants to be sent within One Month to County Inspector of the Constabulary Force, or in Dublin to Metropolitan Commissioners.

III. And be it enacted, That every Officer or Person bound to make any such Entry or Entries as aforesaid, saving and except the Divisional Justices of the Police District of *Dublin* Metropolis and the Clerks at their Offices, shall, within One Calendar Month after he shall have made the same, make out in the like Form and sign a List thereof, excluding any Fines which shall have been imposed on Persons for not having attended as Jurors in any Court, and which last-mentioned Fines are to be levied as hereinafter directed, and shall forthwith transmit the said List to the County Inspector of the Constabulary Force acting for the County or Place wherein such Fines, Penalties, Deodands, or Amerciaments shall respectively be imposed, or Recognizances estreated, or Issues to be leviable, or in any Case arising within the Police District of *Dublin* Metropolis, saving as aforesaid a Case before the said Divisional Justices, then to the Commissioners of Police for the said District; and together with each such List the Officer or Person transmitting the same shall transmit the proper several and respective Warrants, of himself or the other Authority competent to make and issue the same, for the Levy and Recovery of the respective Sums for which the Recognizances mentioned in such List shall be respectively ordered to be estreated, or the respective Amounts of the Fines, Penalties, Deodands, Amerciaments, or Issues mentioned therein, or the Amount thereof then remaining unpaid, as the Case may be, commanding the County Inspector or Commissioners to whom the same may be addressed forthwith to levy on the Body or Goods of the Person or Persons against whom such several Warrants respectively shall issue, as is usual in the Recovery of forfeited Recognizances, the respective Sums mentioned in such Warrants; and such County Inspector or Commissioners, and all Sub-Inspectors, Head or other Constables, or Sub-Constables or Policemen whom the said County Inspector or Commissioners may empower or direct so to do, by Endorsement on the said several Warrants, with his and their Assistants, are hereby required and authorized to execute the same accordingly, in the Manner and with all the Powers now authorized and given by Law for levying forfeited Recognizances; and there shall be a Schedule annexed to every such Warrant, in which shall be given the Name and Description of the Person, Corporation, Fund, or Institution, if any, to whom or to which any Sum or Portion of a Sum to be levied by virtue thereof shall be payable.

Lists to be certified.

IV. And be it enacted, That every List to be transmitted by the Clerk of any Petty Sessions as aforesaid shall be authenticated by a Certificate at the Foot thereof, under the Hands of One or more of the Justices at such Petty Sessions, setting forth that they have compared the same with the original Entries to which it refers, and that the same is correct; and all Warrants to be transmitted by any such Clerk of Petty Sessions, together with each such List, shall be signed by One or more Justices.

When Imprisonment is directed in default of Payment the Warrant shall direct accordingly.

V. Provided always, and be it enacted, That in case it shall have been directed and adjudged at the Time of the Imposition of any such Fine, Penalty, or Amerciament as aforesaid, or it shall have been provided by any Act or Acts under which such Fine, Penalty, or Amerciament shall have been imposed, that the Person liable thereto or on whom the same shall have been imposed as aforesaid shall, in default of Payment thereof, be imprisoned for a Period of Time fixed at the Time of such Imposition or by such Act or Acts as aforesaid, then and in every such Case such Warrants shall respectively command such

such County Inspector respectively, or such Commissioners, in default of the Payment of such Fine, Penalty, or Amerciament, to take the Body of the Person liable thereto or on whom the same shall be imposed, and to convey him to the Common Gaol or House of Correction, there to remain, and, if so adjudged, to be kept to hard Labour, until the Expiration of the Time fixed for such Imprisonment as aforesaid; and such Warrant may be executed according to the Manner and by the Person aforesaid.

Proviso for Cases where Justices may issue their Warrant immediately.

VI. Provided always, and be it enacted, That in any Case in which any Justice or Justices of the Peace is or are now by Law authorized to issue his or their Warrant for the Levy of any Penalty or the Committal of any Person immediately or on Conviction had before him or them, or within any Period less than the said Period of One Calendar Month, every such Justice or Justices may issue such Warrant accordingly to such County Inspector or Commissioners, or to any Sub-Inspector or Head Constable, if it shall seem expedient to him or them so to do, but subject, as to the Distribution of and accounting for all Sums levied thereunder, to all the Provisions of this Act: Provided also, that in any Case arising within the Police District of *Dublin* Metropolis it shall and may be lawful for the Divisional Justices to issue their Warrants to the Superintendents, Inspectors, or Serjeants, being Constables of Police for the said District, and their Assistants, for the Levy of any Penalty or the Committal of any Person in like Manner as before the passing of this Act, and that all such Warrants shall be considered to be Warrants issued under this Act.

Warrants to be executed till the whole be levied, and a Return of all Lists, &c. to be made to Chief Remembrancer.

VII. And be it enacted, That every such Warrant as aforesaid shall remain in full Force and Effect, and Proceedings thereon may be taken from Time to Time without any Renewal thereof, until the full Amount of the Sums thereby directed to be levied shall be fully paid or otherwise discharged by due Course of Law; and every such County Inspector as aforesaid and the said Commissioners is and are hereby required, at least once in every Year, or oftener if so required by the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland*, to furnish to him, in such Manner and Form and at such Times as the said Chief Remembrancer shall direct, a Return of all Lists and Warrants transmitted to such Inspector or to the said Commissioners as aforesaid, together with a Statement of what has been done thereupon respectively.

If Appeal made, Warrants may be suspended until after final Decision.

VIII. Provided always, and be it enacted, That if any Appeal shall have been duly made pursuant to Law in that Behalf from the Decision, Rule, Order, or other Proceeding imposing any such Fines, Penalties, Deodands, or Amerciaments, or estreating such Recognizances, or directing such Issues to be levied, or any Proceeding shall have been taken by due Course of Law to quash or annul such Decision, Rule, or Order, or other Proceeding, it shall and may be lawful for such Officers or Persons as aforesaid, and they are hereby respectively required, to suspend the issuing or Transmission of such Warrants until such Appeal or other Proceeding shall be finally decided.

Warrant to be suspended on Parties entering into Security that Application for Reduction of Fine will be made.

IX. Provided also, and be it enacted, That if any Person against whom any such Warrant shall be issued shall think fit to apply, in the Manner herein-after directed, for the Reduction or Remission of the Sum thereby directed to be levied, such Person shall give before any Magistrate attending at the Petty Sessions of the District in which such Person shall reside, or if in *Dublin* before any Divisional Magistrate of Police, Security by Recognizance, at the Expence of such Person, with Two sufficient Sureties, in double the Amount of such Sum, and shall lodge with the County Inspector or Commissioners to whom such Warrant may have been transmitted a Certificate under the Hand and Seal of the Magistrate by whom such Security was taken, and which Certificate any such Magistrate is hereby required to give as aforesaid, that such Person has given such Security as aforesaid, together with a Notice in Writing that he will apply for such Reduction or Remission as herein-after directed; and such County Inspector or Commissioners aforesaid shall, upon receiving such Certificate and Notice as aforesaid, forthwith suspend the Execution of such Warrant, and the Proceedings for the Levy of such Fine, Penalty, Deodand, Amerciament, Issues, or forfeited Recognizance shall be suspended until such Appeal shall have been finally decided.

Application for Reduction of Fine, &c. may be made to Court or to Quarter Sessions, and there heard.

X. And be it enacted, That it shall and may be lawful for any Person upon whom any Fine, Penalty, Amerciament, or Deodand shall be imposed, or from whom Issues or forfeited Recognizances are ordered to be levied or estreated, to apply for the Reduction or Remission thereof by Petition to the Court of Assize which shall be held next after such Fine, Penalty, Amerciament, or Deodand shall be imposed or Issues or Recognizances shall be ordered to be levied, if such Fine, Penalty, Issues, or forfeited Recognizances was or were directed to be levied at a Court of Assize, or to One of Her Majesty's Superior Courts at *Dublin* if imposed or directed by a Superior Court, or in case such Fine, Penalty, Deodand, Issues, or forfeited Recognizances was or were imposed or directed at any other Court, or by any Coroner or other such Person as aforesaid, then to the Court of Quarter Sessions which shall be held next after such Security shall be given in the County, County of a City or Town, in which the same shall have been so imposed or directed, and the Judges of the said Superior Court, Judge of Assize, or Assistant Barrister or Recorder or Chairman at the said Court, or Court of Quarter Sessions, as the Case may be, shall and is hereby authorized and empowered to hear the Matter of the said Petition, and to examine into the Merits thereof, and to make such Order therein for reducing or wholly remitting such Fine or Penalty, Deodand, Issues, or forfeited Recognizances, as to him or them may seem fit, or for confirming the same; and in all Cases where the Court to which Application for the Reduction or Remission of any Fine, Penalty, Deodand, Amerciament imposed, or forfeited Recognizance or Issues directed to be estreated or levied shall have been made shall pronounce or make any Rule, Judgment, or Order thereon, the

Order of Court thereupon to be delivered to County Inspector, &c.

the Clerk of the Rules of every such Court, Clerk of the Peace, or Clerk of the Crown, as the Case may be, shall thereupon forthwith make out and deliver a Copy of such Order to the County Inspector or to the said Commissioners, who shall, on the Receipt of such Order, either refrain from the Execution of such Warrant, or, in case such Order shall direct any Sum of Money to be levied, cause the said Order to be endorsed on the Warrant previously made out or issued, and shall proceed in the Execution of such Warrant according as shall be directed by the Order so endorsed thereon.

No Appeal to be given where not allowed by the Law under which the Fine, &c. is imposed; nor the Lord Lieutenant or Commissioners of Excise, &c. restrained from reducing a Fine.

XI. Provided always, and be it enacted, That nothing herein contained shall entitle any Person to such Right of Appeal as aforesaid in any Case of summary Conviction, or in any Case where the Fine or Penalty is imposed or levied by the Authority of any Court of Petty Sessions, unless an Appeal is given by the Law under which such Fine or Penalty is inflicted; and provided also, that nothing in this Act contained shall be deemed in any way to limit or restrain the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or Her Majesty's Commissioners of Excise, or any Justices of the Peace, from reducing or remitting any Fine, Penalty, Deodand, Amerciament, forfeited Recognizance, or Issues directed to be estreated or levied which by Law he or they may be in any way authorized or empowered to reduce or remit.

Where Persons are out of Jurisdiction of the County Inspector or Commissioner, Warrants in aid to issue to the Inspectors of any other County or to Commissioners of Police, within whose Jurisdiction the Parties may be.

XII. And be it enacted, That in all Cases where the Person against whom any original Warrant shall issue under this Act shall reside, or have fled or removed from or be out of the Jurisdiction of the County Inspector or Commissioners, as the Case may be, to whom such original Warrant shall be issued, and shall have no Goods or Chattels therein, it shall be lawful for the Inspector General of the said Constabulary Force, or for either of the Deputies to the said Inspector General, or for either of the Provincial Inspectors of the said Force, or for either of the said Commissioners, as the Case may be, to issue his Warrant in aid to any County Inspector of the Constabulary Force for the County in which such Person shall then reside or be, or have Goods or Chattels, reciting the original Warrant issued against such Person as aforesaid, and requiring the County Inspector to whom such Warrant in aid shall be addressed, or such Sub-Inspector or Head or other Constable as he shall by Endorsement upon such Warrant in aid empower in that Behalf, to levy the Amount thereof off the Person or Goods of such Person as aforesaid, and to pay or remit the Amount to be levied by virtue thereof to the County Inspector (naming him), or to the said Commissioners, as the Case may be, to whom the said original Warrant was directed: Provided always, that if the Person against whom it shall be necessary to issue such Warrant in aid shall be resident in or have Goods within the said Police District of *Dublin* Metropolis, the same shall be addressed to the said Commissioners, who shall cause the same to be executed by such Constable of the said District as they shall authorize by Endorsement thereupon to execute the same, and they shall cause the Amount to be paid over to the County Inspector to whom the said original Warrant shall have issued as aforesaid; and the said Commissioners, and every County Inspector to whom any such Warrant in aid shall have been directed, shall, within Three Months after the Receipt thereof, return what they shall have done in Execution thereof to the County Inspector to whom the original Warrant shall have been issued.

Money received by Persons authorized to levy or receive, to be certified and paid to Inspectors, &c. within One Month.

XIII. And be it enacted, That the respective Officers of every Court, and every Sheriff or Gaoler, or other Officer or Person who by virtue of any Right or Authority whatsoever shall levy or receive the Amount or any Part of the Amount of any Fine, Deodand, Amerciament, Recognizance, or Penalty, shall certify and pay every Sum so levied or received, within One Calendar Month thereafter, to the said Commissioners, or to the County Inspector, Sub-Inspector, or Head Constable of the District within which he shall have received the same, and shall annex to his Certificate a Schedule in which shall be given the Name and Description of any Person, Corporation, Fund, or Institution to whom or to which every such Sum or any Portion thereof may be payable.

Inspectors, &c. to pay Amount due to Informers, &c., as per Schedule.

XIV. *And be it enacted*, That the said Commissioners, and every such County Inspector, Sub-Inspector, and Head Constable as aforesaid, shall, out of the several Sums which shall be levied or received by them or him under any original Warrant as aforesaid, pay, at any Time after they or he shall have levied or received the same, to the Person, Corporation, Fund, or Institution entitled thereto, any Sum or Sums payable thereout, according to the Schedule attached to any Warrant which shall be received by such Commissioners, County Inspector, Sub-Inspector, or Head Constable as aforesaid.

Inspector, &c. on Fifth of the Month to pay over Amount received or levied, together with a Statement, to the Paymaster.

XV. And be it enacted, That the said County Inspectors, Sub-Inspectors, and Head Constables respectively shall, on or before the Fifth of each Month, transmit the several Sums which shall be levied and received by them, or shall after such Payments as aforesaid remain in their Hands respectively within the previous Month, under the Provisions of this Act, to the Paymaster of the Constabulary Force for their respective Districts; and every such County Inspector, Sub-Inspector, or Head Constable is hereby required, on Payment of such Monies, to furnish to the said Paymaster a Statement under his Hand, in the Form in the Schedule (B.) to this Act annexed, showing the full Amount so levied or received by him under or on account of any such Warrant, and what Payments (if any) were made by him thereout, and for what Purpose such Payments were made, and to whom and at what Time each such Payment was made; and each such County Inspector, Sub-Inspector, and Head Constable is hereby required to furnish to such Paymaster, for every such Payment, a written Receipt or Voucher, signed by the Person to whom such Payment shall be made.

Paymaster to keep separate

XVI. And be it enacted, That every such Paymaster shall keep a separate and distinct Account of all Monies received by him from each such County Inspector, Sub-Inspector, or Head Constable as aforesaid,

said, under the Provisions of this Act, and shall carry the Amount of all Rewards or Fines to or upon any Member of the said Constabulary Force to the Credit of the Reward Fund of the said Force, and shall on the First *Monday* in every Month lodge the Residue of the Sums so received within the preceding Month in the Bank of *Ireland*, or in some Branch Bank thereof, to the Credit of the Receiver of the Constabulary Force of *Ireland*, in an Account to be intituled "The Counties Fines and Penalties Account;" and the Amount received from each Sub-Inspector or Head Constable shall be distinguished in the said Account; and every such Paymaster shall transmit to the said Receiver at the same Time a Statement in Writing of each such Lodgment to his Credit, specifying the Sum paid in in respect of each Sub-Inspector or Head Constable as aforesaid.

Accounts; to pay Amounts due to Constabulary Reward Fund, and Residue into Bank to the Credit of Receiver of the Force.

XVII. And be it enacted, That every such Paymaster as aforesaid shall make out half-yearly, for each County, an Account of all Monies by him received as aforesaid, and of all Sums of Money paid or applied by him thereout for that County in pursuance of this Act, and shall transmit it to the Secretary of the Grand Jury, to be by him laid before the Special Road Sessions next preceding each Assizes.

Paymaster to transmit half-yearly Accounts to Secretary of Grand Jury.

XVIII. And be it enacted, That the said Commissioners shall, on or before the Fifth of each Month, pay all Sums by them received under or by virtue of any original Warrants issued to them as aforesaid, or as shall remain in their Hands after such Payments as aforesaid within the previous Month, into the Bank of *Ireland*, to the Credit of the Receiver of the Metropolitan Police District, in an Account to be intituled "The *Dublin* Fines and Penalties Account;" and the Divisional Justices of the Police District of *Dublin* Metropolis shall in like Manner, on or before the Fifth of each Month, pay into the said Bank to the Credit of the said Account all Sums levied under or by virtue of any Warrant issued by them under the Provisions of the herein-before recited Act of the Second and Third Years of Her present Majesty's Reign, or any other Act or Acts, or as shall remain in their Hands after such Payments as they may have made thereout within the previous Month; and on Payment of such Monies the said Commissioners and Divisional Justices respectively shall furnish to the said Receiver a Statement under their Hands, in the Form in the said Schedule (B.), showing the full Amount so levied or received by them under or on account of any such Warrant, and what Payments, if any, were made by them thereout, and for what Purpose such Payments were made, and to whom and at what Time each such Payment was made, and shall for every such Payment furnish a written Receipt or Voucher, signed by the Person to whom such Payment shall be made.

Commissioners of Police and Divisional Justices of Dublin District to pay to Credit of Receiver of that Force.

XIX. And be it enacted, That every such Paymaster as aforesaid and the said Commissioners and Divisional Justices shall make out and transmit to the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland*, once in each Year at the least, or oftener if he shall so direct, and at such Time or Times and in such Manner and Form as the said Chief Remembrancer shall from Time to Time direct or require, an Account of all Monies by him or them received as aforesaid, and of all Sums of Money paid or applied by him or them thereout, with the Date of every Lodgment by him or them made as aforesaid.

Paymaster and Commissioners to furnish the Chief Remembrancer with an Account of Monies received or paid by them.

XX. And be it enacted, That each of the said Receivers shall furnish to the said Chief Remembrancer, once in every Year at the least, or oftener if he shall so require, and at such Time and Times and in such Form and Forms as the said Chief Remembrancer shall direct, an Account of all Sums lodged to the Credit of such Receiver in pursuance of this Act, and of the Application thereof.

Receivers to furnish Accounts of Monies lodged to their Credit.

XXI. And be it enacted, That the said Chief Remembrancer shall from Time to Time examine, audit, and declare the Accounts furnished to him as aforesaid, and shall have all such Power, Authority, and Jurisdiction with respect to the said Accounts, and to the Examination of all Persons with respect to any Matters relating thereto, and for enforcing the Payment of any Balances which may appear due thereupon, and in proceeding in any way under this Act, as are given to him touching Sheriffs Accounts by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for facilitating the Appointment of Sheriffs in* Ireland, *and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer in* Ireland; *and to amend the Laws relating to Grants in Custodiam and Recovery of Debts in* Ireland; *and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in* Ireland *to the Commissioners for auditing the Public Accounts of* Great Britain; and an Abstract of such Accounts for the Year next preceding, classified according to Counties, Cities, and Boroughs, shall, after their final Audit, be laid before both Houses of Parliament before the Thirty-first Day of *March* in each Year.

Chief Remembrancer to audit Accounts in like Manner as Sheriffs Accounts are audited by 5 & 6 W. 4. c. 55.

XXII. And be it enacted, That it shall and may be lawful for the said Chief Remembrancer from Time to Time to issue a Warrant or Warrants under his Hand and Seal to all such County Inspectors or Sub-Inspectors as aforesaid, and to the said Commissioners and Divisional Justices, commanding them severally and respectively to levy or cause to be levied, in the Manner herein-before directed with respect to the Warrants herein-before mentioned, all such Fines, Issues, Amerciaments, Penalties, Forfeitures, Recognizances, and Deodands, payable to Her Majesty, Her Heirs and Successors, as the said Chief Remembrancer is now empowered to levy and enforce by any Process whatsoever, and also to levy all such Balances as shall appear to be due on Foot of any Account or Accounts which shall be submitted to such Chief Remembrancer under and by virtue of this Act; and such County Inspectors or Sub-Inspectors and Commissioners

Chief Remembrancer to issue Warrant from Time to Time to Inspectors, &c. for Recovery of Fines and Balances, who shall make Return thereto.

Commissioners and Divisional Justices are hereby required, within such Time after the Receipt of such Warrant or Warrants as the said Chief Remembrancer shall in and by the same direct, return to such Chief Remembrancer what they shall have respectively done in execution thereon; and the said Chief Remembrancer is hereby authorized and empowered to issue from Time to Time to such County Inspectors or Sub-Inspectors or Commissioners and Divisional Justices, such Warrants as aforesaid, or Renewals thereof, for the Recovery of the Balances due on the said Warrants respectively, until the full Amount of the Sums thereby directed to be levied shall be fully paid or otherwise discharged by due Course of Law;

Payment of Sums levied.

and all such Sum or Sums as shall be paid to or levied by any such County Inspector or Sub-Inspectors as aforesaid shall be paid through the said Paymasters into the Bank of *Ireland* aforesaid, to the Credit of the said Fines and Penalties Fund Account; and all Sums so levied by the said Commissioners and Divisional Justices shall be by them paid to the Credit of the said *Dublin* Fines and Penalties Account; and no Process shall issue after the passing of this Act to any Sheriff to levy any of the said Monies, or any Sum authorized to be levied under the Provisions of this Act, save as herein-after provided.

No Process to issue to Sheriff.

Sub-Inspectors and Constables to transmit a Report monthly to County Inspectors and Commissioners.

XXIII. And be it enacted, That each of the said respective Sub-Inspectors and Head Constables, and each Constable who may be employed to execute any such Warrant as aforesaid by any County Inspector, or by the said Commissioners or Divisional Justices, shall transmit a Report, once in each Month, to the County Inspector of his District, or to the said Commissioners or Divisional Justices, as the Case may be, of what he shall have done in execution of any such Warrant, and a Statement of all Sums levied, received, or paid to or by him under or on account of any such Warrant as aforesaid, and of all Monies yet to be levied by virtue thereof.

Officers and others engaged in the Execution of this Act to furnish to the Chief Remembrancer Returns of Sums received or levied by them.

XXIV. And be it enacted, That all Officers and Persons bound to make such Entries as aforesaid, or to issue or execute any such Warrant as aforesaid, or who shall have received the Amount of any such Fines, Penalties, Amerciaments, forfeited Recognizances, Deodands, or Issues as aforesaid, or any Monies on account thereof, shall, whenever required by the said Chief Remembrancer, transmit to him, in such Form, and at such Times, and verified in such Manner as he shall direct, a true and correct Account of all Fines, Penalties, Amerciaments, forfeited Recognizances, Deodands, and Issues imposed, inflicted, levied, or received or paid by them within such particular Period as the Chief Remembrancer aforesaid shall require, together with the Name of the Person from whom the same was received, and to whom the same was paid.

Enforcement of Money overheld.

XXV. And be it enacted, That if any Officer or other Person who shall have levied or received, for or on account of any Recognizance which shall be ordered to be estreated or Issues which shall be directed to be levied, any Sum of Money whatsoever, and shall not have duly accounted and paid over the same in the Manner and Form and within the Times prescribed by this Act, it shall be lawful for the said Chief Remembrancer, upon Complaint made thereof to him, to order the Money so held over to be forthwith paid to the Officer or Person entitled to receive the same, or to refer the Matter of such Complaint, by any Writing under his Hand, to any Two Justices of the County in which the Person against whom such Complaint shall be made shall reside; and it shall be lawful for such Justices to adjudicate thereupon, and they shall have such Powers for compelling the Attendance of Parties or Witnesses before them, and of examining such Parties or Witnesses upon Oath, as any Justice or Justices of the Peace now possess by Law touching any Matter in, to, or upon which they are authorized to inquire or adjudicate; and any Order made by the said Chief Remembrancer or of such Two Justices may be enforced by the Warrant of the said Chief Remembrancer or the said Justices against the Person or Goods of the Party against whom such Order shall be made, and such Warrant shall be executed in like Manner as any other Warrant to be issued under this Act as aforesaid.

Penalty for Neglect, or making false Returns or Entries.

XXVI. And be it enacted, That if any such Officer or Person bound to make such Entry as aforesaid shall neglect so to do, or shall make an untrue Entry, or if any such Officer or Person, other than and except the said Divisional Justices and the Clerks at their Offices, shall neglect to transmit to such County Inspector as aforesaid or to the said Commissioners of Police such respective Lists as aforesaid, or if any such List shall be untrue or incorrect, or if any Officer or Person bound to pay any Monies over as aforesaid to any County Inspector or Sub-Inspector or Head Constable, or to the said Commissioners, or to the said Paymasters, or to issue or execute any such Warrant as aforesaid, or to render such Accounts or Statements as aforesaid to the Chief Remembrancer, shall neglect so to do, the Chief Remembrancer aforesaid may and he is hereby authorized, in addition to any other Penalty or Punishment to which such Officer or Person may in Law be liable, to set a Fine upon every such Officer or Person so making default, not exceeding Ten Pounds, for every such Neglect or Misconduct, upon Proof thereof made before the said Chief Remembrancer in *Dublin*, or before any Justice or Justices of the Peace who shall be authorized by the said Chief Remembrancer, by any Writing under his Hand, to examine into the same, such Fine to be levied, paid, accounted for, and applied in like Manner as any other Fine ought to be levied, paid, and accounted for under the Provisions aforesaid.

In case of Illness, &c. of County Inspector or Commissioner, his Deputy or Successor to act.

XXVII. And be it enacted, That in case of the Death, Illness, Removal, or Absence of any County Inspector or Commissioner of Police, it shall be lawful to and for such Deputy or Successor as shall be duly authorized *pro tempore* to perform the several Duties of such County Inspector or Commissioner, and such Deputy or Successor is hereby required, to perform and do all such Act and Acts, Duty and Duties, as such County Inspector or Commissioner is or are authorized or might be required to do in the Execution of this Act.

XXVIII. And

Sub-Inspector, &c. authorized to sell without a Licence.

XXVIII. And be it enacted, That either of the said Commissioners or Divisional Justices, or any County Inspector or Sub-Inspector, or Head Constable or Constable, empowered to levy any Sum of Money under this Act, may and he is hereby authorized to sell or cause to be sold by Auction any Distress and Distresses levied by him or by his Authority under the Provisions of this Act, without procuring any Licence to act as an Auctioneer, and may deduct out of the Amount of such Sale all reasonable Costs and Charges actually incurred by him in effecting the same, to be approved of and certified by the Justices at Petty Sessions; and no such Distress or Distresses so sold shall be subject to any Auction Duty.

Justices may order Twenty Shillings Costs on summary Conviction.

XXIX. And be it enacted, That it shall and may be lawful for any Justice or Justices of the Peace, when adjudicating on any Case in a summary Way under any Statute now in force or hereafter to be passed authorizing summary Convictions, to direct and order the Person preferring any Charge or Complaint, or the Person against whom any such Charge or Complaint shall be made, to pay any Sum not exceeding Twenty Shillings for the Costs and Charges to which any such Party, Complainant or Defendant, may appear in the Judgment of such Justices to be reasonably entitled, and any such Sum so directed to be paid by any Defendant shall be over and above and in addition to any Fine or Penalty to which he may be liable; and such Sum so adjudged to be paid for Costs, if not paid forthwith, shall be levied in the same Manner as other Fines and Penalties levied under this Act; and the Commissioners, County Inspector or Sub-Inspector, or Constable by whom the Warrant for the levying of the same shall be executed, or to whom the same shall be paid, shall pay the Amount of such Costs to the Complainant or Defendant to whom the same shall be adjudged.

Recognizances to keep the Peace to be transmitted to the Clerk of the Peace within Fourteen Days.

XXX. Provided always, and be it enacted, That from and after the passing of this Act all Recognizances entered into by any Person before any Tribunal, Justice or Justices of the Peace, having Authority to receive and take the same, conditioned that such Person shall keep the Peace to Her Majesty's Subjects or to any particular Person named therein, or to both, according to the Condition of such Recognizance, shall, within Fourteen Days after the same shall be so acknowledged, taken, and entered into, be returned or transmitted to the Clerk of the Peace of the County, County of a City or County of a Town, wherein such Recognizance or Recognizances shall be so acknowledged and taken.

On Breach of the Peace, Assistant Barrister, &c., on Proof, may order Levy of Recognizance so forfeited.

XXXI. And be it enacted, That in case any Person who shall enter into such Recognizance or Recognizances as aforesaid shall commit any Breach of the Peace, or in any Manner violate the Condition of such Recognizance or Recognizances, that then and in such Case it shall be lawful to and for the several Assistant Barristers, Recorders of Cities or Boroughs in *Ireland*, and for the Chairman of the County of *Dublin*, upon Conviction of such Person for any Offence that shall be a Breach of the Condition of the said Recognizance, (such Conviction to be proved by the Production of a Certificate thereof signed and attested by the proper Officer in that Behalf, or by Proof to be made before such Assistant Barrister or Recorder or Chairman that the Person or Persons so bound by Recognizance had committed a Breach of the Peace,) to order that such Recognizance and Recognizances shall be forfeited to such Amount as such Assistant Barrister, Recorder, or Chairman shall think fit, and to direct Warrants to levy the Amount of such forfeited Recognizances to be issued in like Manner as other Fines and Penalties are directed to be levied by this Act: Provided always, that Proof shall be first made on Oath before such Assistant Barrister or Recorder or Chairman that Notice in Writing has been given to or left at the usual Place or Places of Abode of the Party, or each of the Parties, if there be more than One, against whom it is sought to put such Recognizance in force, Six Days at the least before the Commencement of the Sessions at which such Application is or shall be made; and such Notice shall state in Substance the Cause or Matter on which it is intended to sustain the Application.

Proof of Notice to be first given.

Fines upon Jurors to be estreated, and returned to Chief Remembrancer, who shall cause Process to issue for Levy thereof.

XXXII. And be it enacted, That all Fines which shall hereafter be imposed upon any Persons for not attending to serve as Jurors in any Court in *Ireland* shall be estreated and returned to the said Chief Remembrancer in such Manner and Form and at such Times as he shall direct; and it shall be lawful for him to cause Process to issue for having the same levied by the Sheriff of the proper County or County of a City or Town, and the same shall be accounted for before him by such Sheriff accordingly; and the Amount shall be paid by every such Sheriff, other than the Sheriff of the City of *Dublin*, into the Bank of *Ireland*, to the Credit of the said Receiver of the said Constabulary Force in the "Counties Fines and Penalties Account," and by the Sheriff of the said City of *Dublin* into the said Bank, to the Credit of the said Receiver of the Police District of *Dublin* in the "*Dublin* Fines and Penalties Account:" Provided always, that such Fine may be reduced or discharged in like Manner as before the passing of the said Act.

Appropriation of Sums paid to the Credit of the Receivers.

XXXIII. And be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland*, so long as the Hereditary Revenues of the Crown shall not be payable and paid to Her Majesty, Her Heirs and Successors, by any Order or Orders to be by him from Time to Time made for that Purpose, by and with the Advice of Her Majesty's Privy Council there, to charge the Monies arising under the Provisions of this Act to the Credit of the said Receivers respectively, in such Proportions as he may think proper, with the Payment of any Costs, Charges, or Expences which may be incurred in the carrying of this present Act into execution, or which shall have been incurred in carrying the herein-before first-recited Act into execution; and to direct that the surplus Monies remaining to the Credit of the said Two several Accounts, and not already appropriated by any Act or Acts to any special Purpose, shall, in the Case of the *Dublin* Fines and Penalties Account, be applied towards defraying the Expences of the Police Establishment of the

the said District, and shall in the Case of the Counties Fines and Penalties Account be carried to the Credit of the several Counties from which the same shall have been received, in proportion to the Amount received from each, and shall be applied in Diminution of the Charge to which such County or District shall be liable for the Moiety or Proportion payable by it of the Expences of the Constabulary Force employed therein: Provided always, that it shall be lawful for the said Lord Lieutenant, by and with such Advice as aforesaid, to rescind or vary any Order so made by him, and to make any new or other Order instead thereof that he may deem necessary or expedient; and provided also, that no such Distribution shall be made at any Time after Her Majesty's Heirs and Successors shall have resumed Possession of the Hereditary Revenues of the Crown.

Act not to extend to Revenue Fines.

XXXIV. Provided always, and be it enacted, That nothing in this Act contained shall be deemed or construed to extend to any Fine, Penalty, or Forfeiture incurred by or imposed upon any Person whatsoever in *Ireland* under any Act or Acts relating to the Revenues of Customs, or Excise, or Stamps, or Post Office respectively, or to the suing for, mitigating, levying, recovering, or distributing any such Fine, Penalty, or Forfeiture, but that all and every such Fines, Penalties, and Forfeitures shall be sued for, mitigated, levied, and recovered, and distributed, under the Powers, Provisions, Authorities, and Directions of the several Acts relating to the said Revenues respectively, and under and by the same Persons, Ways, and Means, and in the same Manner in every respect as if this Act had not been passed: Provided also, that nothing in this Act contained shall extend to any Fines or Penalties incurred or imposed under any Act or Acts relating to the Laws for the Preservation of Game or relating to Loan Societies in *Ireland*.

Schedules to be taken as Part of the Act, with Power to Lord Lieutenant to alter.

XXXV. And be it enacted, That the Schedules to this Act annexed, and every thing therein contained, shall be deemed and taken to be Part thereof: Provided always, that it shall be lawful for the said Lord Lieutenant in Council to vary or alter any of the Forms given therein, and from Time to Time to prescribe any other Form or Forms instead thereof that he may think proper.

One Commissioner of Dublin Metropolis may act.

XXXVI. And be it enacted, That it shall be lawful for any one of the said Commissioners of the Police District of *Dublin* Metropolis to do any Act whatever which the said Commissioners are hereby authorized or required to do as aforesaid.

Receipts not to be subject to Stamps.

XXXVII. And be it enacted, That no Receipt, Voucher, Document, or Instrument, whether required to be given, made, or provided in pursuance of the Provisions of this Act, shall be subject to or chargeable with any Stamp Duty whatsoever.

Interpretation of Act.

XXXVIII. And be it enacted, That in the Construction of this Act, unless there be something in the Context repugnant thereto, the Expression "Police District" shall be understood to signify the Police District of *Dublin* Metropolis; and the Expression "Commissioners of Police" shall be understood to signify the "Justices of the Peace for the Police District of *Dublin* Metropolis," appointed under the Authority of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis;* and the Expressions "Divisional Justice or Divisional Justices" shall be understood to signify a Divisional Justice or Divisional Justices of the Police District of *Dublin* Metropolis; and the Expression "Lord Lieutenant" shall be understood to signify any Lord Justice, or other Chief Governor or Governors of *Ireland* for the Time being; and that all Enactments herein contained concerning the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland* shall be taken to apply either to such Chief Remembrancer or to such other Officer whom the Commissioners of Her Majesty's Treasury shall appoint to execute the Duties of the Chief Remembrancer; and that all Acts, Matters, and Things by this Act authorized or required to be done by or in relation to any Justices at Petty Sessions shall and may, in the County of the City of *Dublin*, and within the Police District of *Dublin* Metropolis, be done by or in relation to the Divisional Justices at their Offices, and shall and may, in any other Place not included within any Petty Sessions District, be done by or in relation to any Two or more Justices of the Peace acting in and for such Place; and that any Word denoting the Singular Number or the Male Sex shall be taken to extend to any Number of Persons or Things and to both Sexes.

6 & 7 W. 4. c. 29.

Section 107 of 5&6 Vict. c. 106. repealed.

XXXIX. And be it enacted, That so much of an Act passed in the last Session of Parliament, intituled *An Act to regulate the* Irish *Fisheries*, as requires that a Return or Report shall be made by the Clerks of the several Petty Sessions Courts in *Ireland* to the Commissioners appointed under the last-mentioned Act of the Names of all Persons prosecuted and convicted under the Provisions thereof, shall be and the same is hereby repealed.

Act may be amended, &c.

XL. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

LIST of FINES, &c. transmitted to by , pursuant to the Provisions of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act for the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in Ireland, and for the Appropriation thereof."

N°.	Name and Description of Person fined.	Residence, Parish, and Townland.	Offences, and Act under which Fine, &c. is imposed.	Date of imposing Fine, &c. or Recognizance estreated, or Issues directed to be levied.	Name of Court, Justice, or other Person imposing Fine, &c.	Amount of Fine, &c. imposed or ordered.	Amount of Costs awarded (if any).	Name, Description, and Residence of Person to whom Costs are awarded.	Portion of Fine, &c. awarded to Informer or Prosecutor.	Name, Description, and Residence of Informer or Prosecutor.	Amount payable to any Public Body (if any).	Name of Public Body, &c. to which any Fine, or Portion of Fine, &c. is payable.	Term of Imprisonment, with or without hard Labour, awarded in default of Payment.	Amount of any Fine paid into Court, or to Petty Sessions Clerk, Sheriff, or other Person.	How disposed of, and to whom paid.	Remarks.

Given under my Hand at , this Day of One thousand eight hundred and forty-

[CERTIFICATE to be added if List is transmitted by Clerk of Petty Sessions:—
We, Two of Her Majesty's Justices attending at the Petty Sessions at , do certify under our respective Hands that we have compared the above List with the Book of Entries, and find the same to be correct.]

SCHEDULE (B.)

RETURN of FINES, PENALTIES, &c. received or levied by between the Day of and the Day of 18 .

Number of List received from Clerk of Crown, Peace, or Petty Sessions, or Number of Abstract.	Name of Person in Warrant.	Date of Warrant, and by whom issued.	Amount of Fines, &c. including Costs.	Amount received or levied thereout.	From whom received.	Costs received and paid.	To whom paid, Description and Residence.	Amount paid to Informer or Prosecutor.	Name, Description, and Residence of Informer.	Amount of Fine remitted or credited to Paymaster or Commissioner.	Portion payable to Reward Fund.	Date when remitted or credited.	Whether committed in default of Payment, and to what Gaol, and for what Period.	REMARKS. State why any Fine, &c., or Balance of Fine, &c., has not been levied or received.

I hereby certify the foregoing to be a true and correct Return of all Fines and Penalties, &c. received or levied by me, and of the Appropriation of the same.
Dated at , this Day of 18 .

County Inspector or Sub-Inspector, or Commissioners.

CAP. LVII.

An Act to relieve Bishops succeeding to Bishoprics by Operation of the Act to alter and amend the Laws relating to the Temporalities of the Church in *Ireland* from certain Liabilities.

[17th *August* 1843.]

3&4W.4.c.37. ‘WHEREAS an Act was passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws relating to the Temporalities of the Church in* Ireland, and it was by the said Act enacted, that the Bishopric of *Waterford*, then void, should from and after the passing of the said Act, and the other Bishoprics named in the First Column of the Schedule (B.) to the said Act annexed should when and as the same might severally become void, be thenceforth united to and held together with the Bishopric or Archbishopric mentioned in conjunction therewith respectively in the Second Column of the said Schedule (B.), and that the Archbishops or Bishops of the Archbishoprics or Bishoprics in such Second Column named should, at such Times respectively as before mentioned, be and become by virtue of the said Act, and without further Grant, Installation, or Ceremony whatsoever, Bishops respectively of the said Bishoprics named in such First Column in conjunction therewith; and it was by the said Act provided, that if any Bishopric mentioned in the Second Column of the said Schedule (B.) should become void before the Union of such Bishopric with the Bishopric mentioned in the First Column of the said Schedule, then the Bishop of the Bishopric mentioned in the First Column should become by virtue of the said Act, and without further Grant, Installation, or Ceremony whatever, Bishop of the Bishopric in such Second Column named in conjunction therewith; and it was by the same Act provided and enacted, that all and singular the Lands, Tenements, and Hereditaments respectively belonging or in anywise appertaining to the Bishoprics in the First Column of the said Schedule (B.) named, together with all and singular the Tithes, Rents, and Emoluments whatsoever to such Bishoprics respectively appertaining or belonging, should in the Case of the Bishop of *Waterford* from and after the passing of the said Act, and in the Case of the other Bishoprics in the said Schedule (B.) mentioned should from and after the Times when such Bishoprics should become respectively void or united to any other Bishopric as aforesaid, be and the same were thereby transferred to and vested in the Ecclesiastical Commissioners for *Ireland* and their Successors for ever, nevertheless for the Purposes therein mentioned; and it was by the same Act further provided and enacted, that the said Ecclesiastical Commissioners should, from and out of the Revenues of each Bishopric in the First Column of the said Schedule mentioned, when and as the same should become vested in them, make good to the Bishop thereof becoming, by virtue of the Provision therein-before contained, Bishop of the Bishopric mentioned in conjunction therewith in the Second Column of the said Schedule the Sum or Sums of Money (if any) whereby the Revenues of such Bishopric in such Second Column mentioned should fall short of the Revenues of such Bishopric in such First Column mentioned; but no Provision is made by the said recited Act in respect of any Charges legally affecting any Bishopric in the Second Column of the said Schedule named at the Time of such Transfer as aforesaid: And whereas, by and under the herein-before recited Provisions of the said Act, the Bishopric of *Elphin* upon the Decease of the late Doctor *George De la Poer Beresford* Bishop of *Kilmore* and *Ardagh* became united to the Bishopric of *Kilmore*, and Doctor *John Leslie*, being at the Time when the said Bishoprics became united as aforesaid Bishop of *Elphin*, has under the said recited Provisions become and now is the Bishop of the said united Bishoprics of *Kilmore*, *Elphin*, and *Ardagh*: And whereas the Representatives of the said Doctor *George De la Poer Beresford* are entitled to a Charge upon the Ecclesiastical Revenues of the said Bishopric of *Kilmore*, being One of the Bishoprics named in the Second Column of the said Schedule (B.), to the Amount of Thirteen thousand seven hundred and sixty Pounds Sixteen Shillings and Eight-pence, under and by virtue of a certain Certificate under the Hand and Seal of his Grace the Archbishop of *Armagh*, and duly entered at large in the Registry of the Archdiocese of *Armagh*, pursuant to the several Acts in that Case made and provided: And whereas upon the said Union of the said Bishoprics all and singular the Lands, Tenements, and Hereditaments, and all and singular the Tithes, Rents, and Emoluments appertaining or belonging to the said Bishopric of *Elphin* were by virtue of the said Act transferred to and vested in the Ecclesiastical Commissioners for *Ireland*, and the said Ecclesiastical Commissioners became bound by the said Act from and out of the Revenues of the said Bishopric of *Elphin* to make good to the said Doctor *John Leslie*, as Bishop of the united Bishoprics of *Kilmore*, *Elphin*, and *Ardagh*, the Sum of Money whereby the Revenues of the said Bishopric of *Kilmore* fall short of the Revenues of the said Bishopric of *Elphin*, but in default of any Provision being made by the said Act as aforesaid in respect of the said Charge the said Revenues of the said Bishopric of *Kilmore*, now vested in the said Doctor *John Leslie*, remain subject thereto: And whereas the said Doctor *John Leslie* has already paid to the Representatives of the said late Doctor *George Delapoer Beresford* One Instalment of the said Charge, and it is just and reasonable that he shall be indemnified for the same, and for all such further Payments as he shall hereafter make on account of the said Charge;’ be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Representatives of the said Doctor *George De la Poer Beresford* shall and they are hereby declared to be entitled to receive and recover from or against the said Doctor *John Leslie*, or the Revenues of the said Bishopric of *Kilmore*, the said Sum of Thirteen thousand seven hundred and sixty Pounds Sixteen Shillings and Eight-pence, or the Residue thereof remaining unpaid, in like Manner and in such Proportions, and by such Instalments, and

The present Bishop of the united Sees of Kilmore, Elphin, and.

and by all and the like Ways and Means as they would have been entitled to receive or recover the same from or against the said Doctor *John Leslie* or the Revenues of the said Bishopric, in case he had by any other Means than as aforesaid become the next Successor of the said Doctor *George de la Poer Beresford* in the said Bishopric of *Kilmore*. Ardagh shall pay the Charge on Kilmore.

II. And be it enacted, That the said Ecclesiastical Commissioners shall and they are hereby authorized and required to pay to the said Doctor *John Leslie* or his Representatives, out of the Revenues of the said See of *Elphin* so vested in them as aforesaid, Interest at and after the Rate of Five Pounds *per Centum per Annum* upon the said Sum of Thirteen thousand seven hundred and sixty Pounds Sixteen Shillings and Eight-pence, or upon so much and such Part and Parts thereof as hath or have been or shall or may hereafter be paid by the said Doctor *John Leslie* or his Representatives to the Representatives of the said Doctor *George de la Poer Beresford*, such Interest to be computed from the Day or respective Days at or upon which such Payment or Payments hath or have been or shall or may hereafter be made to the Representatives of the said Doctor *George de la Poer Beresford*, inclusive of the Day or respective Days of Payment thereof, and to be paid half-yearly, and to be and continue payable to the said Doctor *John Leslie* or his Representatives up to and until the Day or respective Days at or upon which the said Doctor *John Leslie* or his Representatives shall be entitled to recover such Payment respectively from the next or any subsequent Successor of the said Doctor *John Leslie* in the said united Bishoprics of *Kilmore*, *Elphin*, and *Ardagh*, together with a proportionable Part of such Interest up to such Day or respective Days, in case the same shall happen to be on any other Day than one of the said half-yearly Days of Payment. The Ecclesiastical Commissioners shall pay the Interest on the Charge during the Incumbency of the present Bishop.

III. And be it enacted, That it shall be lawful for the said Doctor *John Leslie* or his Representatives to raise, levy, and recover from the next or any subsequent Successor of him the said Doctor *John Leslie* in the said united Bishoprics of *Kilmore*, *Elphin*, and *Ardagh* the said Sum of Thirteen thousand seven hundred and sixty Pounds Sixteen Shillings and Eight-pence, or such Instalment or Instalments thereof as he shall have paid as aforesaid, in such Proportions or Instalments, and by such Ways and Means, and in the same Manner to all Intents and Purposes as the Representatives of the said late Doctor *George de la Poer Beresford* could by Law have raised, levied, and recovered the same from or against his immediate or subsequent Successor, or the Revenues of the said Bishopric of *Kilmore*, if the said Doctor *George de la Poer Beresford* had survived the said Doctor *John Leslie*, and the said Doctor *John Leslie* had not become Bishop of the said united Bishoprics. The Bishop or his Representatives shall recover the Principal of the Charge from his next or subsequent Successor.

IV. 'And whereas Doubts have arisen whether the said Doctor *John Leslie* as Bishop of the united 'Bishoprics of *Kilmore*, *Elphin*, and *Ardagh*, and other the Bishops who at the Time of the passing of 'the said recited Act were Bishops of the several Bishoprics mentioned in the said Schedule (B.) to the 'same Act annexed, and for the Union of which Bishoprics respectively Provision was made thereby, are 'not after such Union liable to the Tax chargeable by the same Act: And whereas it was not intended 'by the said recited Act that the said Doctor *John Leslie* and other the Bishops aforesaid should be 'subjected to any pecuniary Loss or Charge by reason of such Union;' be it therefore enacted and declared, That neither the Income of the said Doctor *John Leslie* nor of any such other Bishops aforesaid being or becoming the Bishop or Bishops of any Bishoprics united by force and operation of the said recited Act is or are or shall be, during his or their Incumbency or respective Incumbencies of such united Bishoprics, liable for the Payment of the said Tax or Rate or Assessment chargeable under the Provisions of the said recited Act, nor are, is, or shall be bound or called upon to make the Returns required by the same Act for the Purpose of enabling the said Commissioners to compute and impose the same Tax or Rate or Assessment. No Bishop succeeding to any Bishopric united by the Operation of the said Act shall be taken to be a Successor therein so as to make him liable to the Tax on Spiritual Persons succeeding to Ecclesiastical Dignities, &c.

V. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. LVIII.

An Act to enable Her Majesty to acquire Lands for the Enlargement of Her Majesty's Dock Yards and for other Naval Purposes. [17th *August* 1843.]

'WHEREAS it has become necessary and expedient that Her Majesty should be enabled to acquire 'Lands for enlarging the Naval Arsenals of the Kingdom, and for other Public Purposes connected 'with the several Departments under the Management or Control of the Lord High Admiral or the 'Commissioners for executing the Office of Lord High Admiral of the United Kingdom, but on account 'of Difficulties which have arisen and may arise in attaining that Object the same cannot be effected 'without the Aid and Authority of Parliament;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being shall be and they are hereby appointed Commissioners for carrying the Purposes of this Act into execution; and all Acts, Deeds, Matters, and Things to be done or executed by the said Commissioners in pursuance or under the Authority of this Act may be done or executed by any Two of them, and the same shall be as valid and effectual as if done or executed by all the said Commissioners. Appointment of Commissioners. Quorum.

II. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, at any Time or Times and from Time to Time, to contract for and purchase any Lands within the United Kingdom of *Great Britain* and *Ireland*, and any subsisting Estates, Leases, Terms, Shares, and Interests Commissioners may purchase Lands, which, when pur-

chased, are to be vested in the Commissioners in Trust for Her Majesty.

Interests therein, which they may consider requisite for the Public Service of their Department; and that all Lands so purchased by them shall be and become vested in the said Commissioners for the Time being, in Trust for Her Majesty, Her Heirs and Successors, for the Public Service, to the Intent and so that the same may remain vested in the said Commissioners for the Time being in the same Manner and for the same Purposes and be subject to the same Powers as the Lands mentioned or referred to in the Act passed in the Second Year of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments*, are vested in them under or by virtue of the same Act.

2 & 3 W. 4. c. 40.

Commissioners may enter upon Lands for the Purpose of surveying and valuing them.

III. And be it enacted, That it shall be lawful for the said Commissioners, and for their Surveyor or Surveyors, Officers, and Workmen, at any Time or Times during the Day, upon giving Seven Days Notice in Writing for the first Time, and afterwards from Time to Time Forty-eight Hours Notice in Writing, such respective Notices to be given either to the Owner or the Occupier of the Lands in question, or to be left at the same Lands, to enter into and upon any Lands within the United Kingdom of *Great Britain* and *Ireland* for the Purpose of surveying and valuing the same Lands, without being deemed Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon the said Lands or any Part or Parts thereof for the Purposes aforesaid: Provided always, that nothing in this Act contained shall extend to authorize the said Commissioners or any Person acting under them to enter upon or to take without the Consent of the Owner any Land which shall not be situated within Seven hundred Yards from the Boundary of the Naval Establishment under the Control of the said Commissioners at *Woolwich*, *Sheerness*, *Chatham*, *Portsmouth*, *Gosport*, *Devonport*, and *Pembroke*: Provided also, that the Powers to purchase and convey under this Act shall cease and determine at the Expiration of Seven Years from the Date of the passing of this Act: Provided also, that all Land which shall be taken under the Authority of this Act shall, after the same shall have been so taken, remain and be liable to the Assessment to the Land Tax in the same Manner as it would have been liable had it not been so taken, notwithstanding the Occupation thereof for public Purposes.

Powers to Persons having qualified Interests to sell.

IV. And be it enacted, That it shall be lawful for all Persons, and for all Trustees and Feoffees in Trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or beyond the Seas, and also for all Tenants for Life or for Years absolute or determinable on any Life or Lives or otherwise, and all Persons having any other Description of partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Persons entitled in Remainder, Reversion, Expectancy, or Contingency, or for any other future Estate or Interest, where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting and selling, and for all Guardians on behalf of their respective Wards, Husbands on behalf of their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, Administrators, and Issue of such Wards, Wives, or Persons respectively, and for all Femes Covert entitled in their own Right to any such Lands, or to Dower or other Interest therein, on behalf not only of themselves, but also of their respective Heirs, Executors, Administrators, and Issue, and also where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail, or for Years absolute or determinable on any Life or Lives or otherwise, or shall have any other Description of partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for the Sale, and have sold the same Lands or any them, and for all and every other Persons and Person whomsoever who are, is, or shall be seised or possessed of or interested in all or any of the said Lands, or entitled to any subsisting Estates, Leases, Terms, Shares, and Interests therein, which the said Commissioners shall think necessary for the Public Service, to contract and agree with the said Commissioners for the absolute Sale to them of all or any of the said Lands, and all Estates and Interests therein, and to convey the same and the Fee Simple thereof to the said Commissioners for such Compensation, Equivalent, or Satisfaction in Money or Lands, or any Estate or Interest in Lands, or partly in Money and partly in Lands, or any Estate or Interest in Lands, as to the contracting Parties shall seem expedient and reasonable; and all Contracts, Agreements, Acts, Conveyances, and Deeds which shall be made or executed by such contracting, selling, and conveying Persons as aforesaid, shall be as valid and effectual as if such Persons were the absolute Owners and seised in Fee Simple of the Lands so conveyed by them respectively; and such Persons are hereby indemnified for or in respect of any such Sale which they shall respectively make by virtue or in pursuance of this Act.

Commissioners may exchange Lands with other Public Departments.

V. Provided always, and be it enacted, That it shall be lawful for the said Commissioners to give in exchange for any Lands to be taken for the Purposes of this Act any Lands in the same Parish belonging to Her Majesty, although vested in any other Department of Her Majesty's Government, with the previous Consent of that Department, notwithstanding any thing contained in an Act passed in the Thirty-first Year of the Reign of His Majesty King *George* the Second, intituled *An Act for vesting certain Messuages, Lands, Tenements, and Hereditaments for the better securing His Majesty's Docks, Ships, and Stores at* Portsmouth, Chatham, *and* Plymouth, *and for the better fortifying the Town of* Portsmouth *and*

31 G. 2. c. 39.

and Citadel at Plymouth, *in Trustees for certain Uses; and for other Purposes therein mentioned,* or in any other Act whatsoever.

Compensation may be received for Lands, &c., and in case of Dispute shall be settled by a Jury.

VI. And be it enacted, That all Persons herein-before capacitated to contract for and sell and convey any such Lands as aforesaid, and any Owner or Owners thereof or of any Share or Interest therein or Charge thereon, may accept and receive such Satisfaction and Recompence for the Value thereof; and such Persons, Owner or Owners, and also any Tenant or Tenants or other Occupier or Occupiers of any such Land entitled to any Compensation for Tenants Fixtures, or for any Good-will or Improvements, or for any Injury or Damage which shall be sustained on account of the Execution of this Act or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners; and in case the said Commissioners and the Parties interested in such Lands or Fixtures, Good-will or Improvements, or sustaining any such Injury or Damage as aforesaid, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

Before the Expiration of Three Months after Notice by the Commissioners of their Intention to purchase, all Parties interested to send in a Statement of their Claim.

VII. And be it enacted, That before the Expiration of Three Calendar Months next after Notice in Writing from the said Commissioners for the Time being or their Secretary, or from their Agent duly authorized, of the Intention to purchase, take, or use any Lands for the Purposes of this Act, shall have been given to the Persons hereby or otherwise capacitated to sell, or to their Officer or Agent, or to the Person who shall be the Owner of such Lands, or, in case he cannot be found or ascertained, left at his usual or last known Place of Abode, or with the Tenant or Occupier of the same Lands, or shall be affixed upon the same Premises, (and for the Purposes of this Act any Person hereby capacitated or otherwise enabled to sell shall be held to be the Owner of such Lands,) all Owners and other Persons seised, possessed of, or interested in or authorized by this Act or otherwise to accept and receive Satisfaction or Recompence for the Value of the same Lands, or any Estate, Share, or Interest therein or Charge thereon, or having or claiming to be entitled to any Compensation for any Good-will or Improvements, or for Fixtures, or for Injury or Damage sustained on account of the Execution of this Act or in anywise relating thereto, shall deliver or cause to be delivered to the said Commissioners, by leaving the same at the Admiralty, *Whitehall,* and also at the Office of the Solicitor of the Admiralty for the Time being, a Statement in Writing of the Particulars of the Estate, Share, Interest, Charge, Fixtures, Good-will, or Improvements which they claim to be entitled to or to Compensation for, and of the Injury and Damage sustained by them, and of the Amount of Money which they may be willing to receive for the Sale and in Satisfaction of such their Estate, Share, and Interest, Claim, and Demand as aforesaid: Provided always, that no Lands or Hereditaments shall be taken under the Provisions of this Act without the Consent of the Owner or Owners thereof, or of some Person acting on their Behalf, unless the Expediency of taking the same shall be first declared in Writing under the Hands of Two of the said Commissioners.

In Cases of Refusal to treat or Parties not agreeing on Compensation, &c. the Commissioners may authorize the Sheriff to summon a Jury to determine the Value.

VIII. And be it enacted, That if any Person hereby or otherwise capacitated to sell Lands so required by the said Commissioners, or interested in any Share or Shares, Estate or Estates therein, or Charge or Charges thereon, or in any Good-will, Improvements, or Fixtures, or Damages, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners for the Sale and Disposal of their respective Estates and Interests therein, or the respective Estates and Interests which they are hereby respectively capacitated to sell, or for Compensation for any such Good-will, Improvements, Fixtures, or Damages as aforesaid, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in possession of or to the Interest they shall claim, to the Satisfaction of the said Commissioners, or shall, by reason of any Impediment or Disability not provided for by this Act, be incapable of effectually making such Agreement or Sale thereof, or in any other Case where Agreement for Compensation for any Good-will, Improvements, or Fixtures, or for Damages incurred in the Execution of this Act, cannot be made, or if the said Commissioners shall not be apprized to their entire Satisfaction who is the Person entitled or by this Act capacitated to sell, then and in every or any such Case the said Commissioners are hereby authorized at any Time or Times and from Time to Time to issue a Warrant under their Hands to the Sheriff or Sheriff Depute of the County, Stewartry, City, or Place in which the Lands required for the Purposes of this Act may be situate, requiring him to summon, return, and impannel, and the said Sheriff or Sheriff Depute is hereby accordingly empowered and required to summon, return, and impannel, a Jury of not less than Twenty-four sufficient and indifferent Men, qualified according to Law to serve on Special Juries, and in the Manner required by the Laws of *England, Ireland,* and *Scotland,* according to the Situation of the Lands required; and the Persons so to be summoned, returned, and impannelled are hereby required to appear before the said Sheriff, or his Under Sheriff or Sheriff Depute, at such Time and Place within the said County, Stewartry, City, or Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of the Persons so to be summoned, returned, and impannelled, or out of such of them as shall appear, a Jury of Twelve Men shall be impannelled by the said Sheriff, Under Sheriff, or Sheriff Depute, or by some Person to be by One of them appointed, and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Under Sheriff, or Sheriff Depute is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question; and such Sheriff, Under Sheriff, or Sheriff Depute respectively shall order and cause the said Jury to view the Places in question if there be Occasion, and shall and may use

all such other lawful Ways and Means, as well for his own as for the Jury's better Information, as shall be requisite in the Premises; and such Jury shall, upon their Oaths, or upon such Affirmations as the Law has substituted or may substitute for an Oath in certain Cases, (which Oaths and Affirmations, as well as the Oaths and Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff, Under Sheriff, or Sheriff Depute is hereby empowered and required to administer and receive,) inquire of and assess and give a Verdict for the true and real Value or Amount of the Estates or Interests, Good-will, Improvements, Fixtures, or Damages which may be the Occasion or Subject of such Inquiry; and the Jury, in assessing the Value of such Estates, Interests, Good-will, Improvements, Fixtures, or Damages, shall take into their Consideration any such prospective Value thereof as the Owner or Party interested therein can prove would have accrued to him if the said Property had remained in the Possession of such Owner or Party, and the said Sheriff, Under Sheriff, or Sheriff Depute shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation; which said Verdict and the Judgment thereon to be pronounced as aforesaid shall be binding and conclusive to all Intents and Purposes upon all Persons whomsoever: Provided always, that not less than Twenty-eight Days Notice in Writing of the Time and Place at which any such Jury are so required to be returned shall be given by or on the Part of the said Commissioners; and every such Notice is to be affixed upon one of the Doors of the Church or of some other public Building of the Parish or Place in which such Lands may be situate, and is also to be left at the Dwelling House of the Owner or of his Agent, or with some Tenant or Occupier of the Lands intended to be valued, or respecting which, or the Good-will, Improvements, or Fixtures of which, or any Damage to which any such Question shall arise, or by affixing the Notice on some Part of such Premises; and provided also, that no Person shall be summoned or chosen to be on such Jury who shall be an Owner of any Lands the Value of which is to be ascertained, or who shall in any Manner be interested in any of the Matters to be inquired of by such Jury.

If not a sufficient Attendance of Jury the Sheriff may adjourn.

IX. And be it enacted, That in case a sufficient Jury to take the Inquisition shall not appear upon the Return of the said Warrant, it shall be lawful for the said Sheriff, Under Sheriff, or Sheriff Depute, and he is hereby required, from Time to Time until a sufficient Jury shall have been obtained by the Means aforesaid, to adjourn the Inquiry to any future Day not exceeding Fourteen Days nor less than Four Days from the Adjournment thereof; and when a sufficient Number of Jurors shall appear he shall proceed to swear and impannel Twelve of them, who shall thereupon inquire as aforesaid.

No Party to be heard without having sent in a Statement of his Claim.

X. And be it enacted, That no Person shall be heard before the said Sheriff, Under Sheriff, or Sheriff Depute and Jury touching the Matter of the Inquiry, unless such a Statement as herein-before mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners and to the Solicitor of the Admiralty for the Time being by and on behalf of such Person, within Three Calendar Months after such Notice in Writing of its being the Intention of the said Commissioners to purchase and take such Lands; and all Persons who shall not give such Statement within such Period as last aforesaid or shall not appear at any Inquisition shall, as well as all other Persons, be bound by such Verdict and Judgment as aforesaid.

Jury may apportion the Value of the different Interests.

XI. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Lands, the Jury shall, if required so to do by or on the Behalf of the said Commissioners, apportion and divide the Value so ascertained according to the different Estates, Interests, and Charges in and upon the said Lands; and such Apportionment shall, in respect to Value, be binding upon all Persons whomsoever.

In Cases of Parties not appearing the Sheriff may proceed.

XII. And be it enacted, That in case any Person shall not appear pursuant to such Notice so to be given or affixed as aforesaid, or any Person shall appear who shall not have given the Particulars of his Claim as herein-before required, then the said Sheriff, Under Sheriff, or Sheriff Depute and also the said Jury shall proceed, upon the best Information they can procure or obtain, to make such Inquest and Judgment as herein-before directed.

Penalty for Default of Sheriff, Witness, &c.

XIII. And be it enacted, That if the Sheriff, Under Sheriff, or Sheriff Depute so directed to summon, return, and impannel a Jury, and take such Inquest as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds, to be recovered in *England*, *Scotland*, or *Ireland* as Debts due to Her Majesty are recoverable in those respective Countries; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or legally affirmed or to give his Verdict, or shall in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not duly appear, or appearing shall refuse to be examined upon Oath or upon legal Affirmation, or to give Evidence, any and every Person so offending, having no reasonable Excuse which may be allowed by the Justice next herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds, which shall and may be levied, by virtue of any Warrant under the Hand and Seal of any One of Her Majesty's Justices of the Peace, by Distress and Sale of the Goods and Chattels of any Person so offending, returning to such Person the Overplus (if any) after such Penalty and the Charges of such Distress and Sale shall have been deducted; and it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid

valid and effectual, and have the same Effect, to all Intents and Purposes, as if an Information in Writing or in Print had been exhibited.

Penalty on Witnesses giving false Evidence.

XIV. And be it enacted, That all Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence, either on Oath or Affirmation, before any Jury, or before any Justice of the Peace acting as such in the Execution of this Act, shall be deemed to be guilty of Perjury, and may be prosecuted for the same, and upon Conviction thereof shall be subject to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are or shall be by the Laws in force subject and liable to.

Inquisitions to be deposited with the Clerk of the Peace.

XV. And be it enacted, That all Inquisitions, Verdicts, and Judgments which shall be taken or given under this Act shall be deposited with the Clerk of the Peace of the County or with the Sheriff Clerk of the County in which the Lands being the Subject of Dispute shall be situate, to be kept and preserved by him amongst the Records of the same County, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or Copies thereof certified by such Clerk of the Peace or Sheriff Clerk for the Time being, shall be allowed to be good and conclusive Evidence in all Courts and Proceedings whatsoever; and all Persons shall have Liberty to inspect the same, paying for every such Inspection the Sum of One Shilling, and to take or make Copies thereof or Extracts therefrom, paying for every Copy or Extract made by the Clerk of the Peace or Sheriff Clerk, with his Certificate thereon after the Rate of Sixpence for every One hundred Words.

Parties dissatisfied may appeal.

XVI. Provided always, and be it enacted, That if either the said Commissioners or any Person interested in the Lands or Premises to be taken in pursuance of this Act shall be dissatisfied with the Verdict of such Jury, it shall be lawful for them, if the Premises be in *England* to appeal to the Court of Exchequer at *Westminster*, and if in *Ireland* to the Court of Exchequer at *Dublin*, in the Term next, and if in *Scotland* within Fourteen Days after the finding of any such Verdict to the Court of Session in Time of Session, or to the Lord Ordinary on the Bills in the Time of Vacation, and to suggest that they have Reason to be dissatisfied with such Verdict, the Party dissatisfied giving Notice to the other Party of such intended Appeal; and thereupon, in *England* or *Ireland*, the Proceedings which have been had and the Verdict of the Jury shall be returned into the said Courts of Exchequer respectively; and, if it shall appear proper to the Court to which the Return shall be made, such Suggestion shall be entered on the Proceedings, and a Writ shall thereupon, by Rule of Court or Order of any Judge of such Court, be issued to the Sheriff of the County wherein such Lands or other Premises shall be, or if the same shall lie in Two Counties to the Sheriff of either of such Counties, to summon either a Common or Special Jury (according to the Application that shall have been made in that Behalf, and as the Court or such Judge shall allow), who shall respectively be qualified according to Law, to appear before the Justice or Justices of Assize or Nisi Prius of that County at the next Assizes or Sittings of Nisi Prius, if the same shall not happen sooner than Twenty-one Days after such Suggestion, otherwise at the next succeeding Assizes or Sittings; and the Compensation to be paid for the Purchase or Possession of the Lands and Premises in question (as the Case shall be) shall at such Assizes or Sittings be ascertained by such Jury, in like Manner as any Damages may be inquired of upon any Inquisition or Inquiry of Damages by any Jury before any Judge of Assize or Nisi Prius, and the Verdict of such Jury shall be returned to the said Court of Exchequer, and shall, as between the Parties, be final and conclusive; and in *Scotland*, if it shall appear proper to the said Court of Session or Lord Ordinary, upon such Application so to do, the said Court or Lord Ordinary shall order the Sheriff of the County wherein such Lands, Buildings, or other Hereditaments shall lie, or if the same shall lie in Two Counties to the Sheriff of either of such Counties, to summon another Jury, in the Manner in which Juries are summoned in *Scotland*, properly qualified according to Law, to appear before the Lords or Lord of Justiciary at the next Circuit, if the same shall not happen sooner than Twenty-one Days after such Application, otherwise at the next succeeding Circuit; and the Compensation as aforesaid for the Premises in question shall at such Circuit be ascertained by a Jury drawn from the Jury summoned as aforesaid, in such Manner as Juries are drawn in *Scotland*, under the Direction of the said Lords or Lord of Justiciary aforesaid; and the Verdict of such last-mentioned Jury shall, as between the Parties, be final and conclusive, without being subject to Review or Challenge of any Kind; and the Costs to be incurred in consequence of any such Appeal shall be in the Discretion of the Court.

Commissioners may dispose of Lands acquired by them, but not wanted.

Original Proprietors entitled to Pre-emption if desired within Sixty Days.

XVII. Provided always, and be it enacted, That in case the said Commissioners shall, under the Powers of this Act, acquire any Lands which shall not afterwards be wanted for the Public Service, and shall, within Sixty Years from the Time of the same having been so required, be disposed to sell the same, they shall give public Notice in the *London Gazette*, and in some one of the Newspapers of the County in which such Lands shall be situate, of their Intention to dispose of the same; and in case the Person from whom they shall have been purchased, or his Heirs, shall, within Sixty Days after such Publication, signify his Desire to repurchase the same, he shall be entitled to the Pre-emption thereof, provided he is willing to repurchase the same for a Price or upon Terms equivalent to those which the said Commissioners might otherwise obtain for the same.

Allowances to Sheriff, Jury, and Witnesses.

XVIII. And be it enacted, That every Witness who shall be summoned to attend, and who shall attend accordingly, any Inquisition under this Act, and who shall be willing and ready to be sworn or affirmed, as the Case may require, shall be entitled to a pecuniary Allowance, upon the same Principle as Witnesses are paid when subpœnaed to give Evidence at any Trial in One of Her Majesty's Courts of Record at *Westminster*; and that each Juryman who shall be summoned and appear as aforesaid, and be ready and willing to be sworn or affirmed, shall be allowed his reasonable travelling Expences to and from the Place of

of meeting; and each Juryman who shall be sworn or affirmed shall, in addition thereto, be allowed for his Trouble and Subsistence the Sum of One Pound One Shilling for each Day's Attendance, and no more; and that the Sheriff, Under Sheriff, or Sheriff Depute, for summoning, returning, and impannelling every Jury, and taking and recording the Verdict, and the Judgment to be given thereon, shall be allowed for his Trouble the Sum of Ten Pounds and no more, and for his Subsistence the further Sum of One Pound One Shilling for each Day's Attendance, in addition to his reasonable travelling Expences to and from the Place of meeting; and if Dispute or Disputes shall arise respecting the Allowance to the Sheriff, Under Sheriff, Sheriff Depute, Juror, or Witness, the same shall be determined by any Justice of the Peace of the County, Stewartry, City, or Place in which the Lands shall be situate.

If Verdict of a Jury give a greater Recompence than was offered by the Commissioners, the Expences to be borne by the Crown; if for no more or for less, then by the Party refusing to accept the Offer.

XIX. And be it enacted, That in case any Jury to be summoned pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interest, or Property of the Person in any such Lands, or for any such Good-will, Improvements, Fixtures, Injury, or Damage as aforesaid, than shall have been agreed to be given or offered for the same in the aggregate by the said Commissioners, before the summoning and returning of such Jury, or where, by reason of Absence abroad or other Incapacity or Disability as aforesaid, or from any other Cause, there shall not be or shall not be found any Person legally capacitated to enter into any Contract with the said Commissioners on behalf of Her Majesty, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff, Under Sheriff, or Sheriff Depute before whom such Claim shall have been tried or investigated, and shall be paid by the said Commissioners on behalf of Her Majesty; but in every Case in which any such Jury shall be of opinion that the Statement delivered by the Claimant or Claimants of the Manner in which any Amount of Money which shall have been demanded as a Recompence, Compensation, or Satisfaction has been computed and made up, did not give sufficient Particulars to enable the said Commissioners to make a proper Offer to such Claimant or Claimants, unless such Claimant or Claimants shall prove to the Satisfaction of the Jury that he, she, or they were not and could not be in possession of such additional Information at the Time the Particulars referred to were furnished to the said Commissioners; and in every Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to or offered by the said Commissioners in the aggregate for the same before the summoning and returning of the said Jury; or in case no Damages or less Damages than those offered by the said Commissioners shall be given by the Verdict where the Dispute is for Damages only; or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners by any Person whomsoever who is by the Provisions of this Act or otherwise legally empowered to treat; then all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, or Sheriff Depute in manner aforesaid, shall be paid to the said Commissioners on behalf of Her Majesty by the said Person so claiming or entitled to such Recompence, Compensation, or Satisfaction, or refusing to treat and agree, as before mentioned respectively; and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners on behalf of Her Majesty shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to and for the Use of the Person entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money (if any) shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money or no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners on behalf of Her Majesty whereout such Costs, Charges, and Expences can be deducted, then the same or the Remainder thereof shall and may be recovered by virtue of any Warrant of any One of Her Majesty's Justices of the Peace for the County, Stewartry, City, or Place in which the Person liable to such Costs or his Goods shall be found, (which Justice is hereby authorized and directed to issue the same whenever and as often as applied for by the said Commissioners,) and by Distress and Sale of the Goods and Chattels of the Person liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences and the Charge of such Distress and Sale shall have been deducted.

Commissioners may require Proof in support of Claims of Lessees.

XX. And be it enacted, That in all Cases in which any Person shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Lands intended to be taken or used by the Authority of this Act, under or by virtue of any Demise or Lease or Agreement for a Demise or Lease or Grant thereof, the said Commissioners are hereby authorized to require such Person to produce or show the Document in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his Power; and if such Document, or such best Evidence thereof as aforesaid, shall not be produced and shown to the said Commissioners or their Agents within Twenty-one Days after Demand made by the said Commissioners or any Person by them authorized, the Person claiming such Satisfaction or Compensation shall be considered and treated as Tenant at Will.

Differences respecting Amount of Damage done in execution of the Act not

XXI. And be it enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners and Occupiers of the Lands to be taken or used for the Purposes of this Act or any other Person whomsoever as to the Amount or Value of the Damages done by the said Commissioners, their Engineers, Officers, Agents, Servants, or Workmen, to any Property in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall,

shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by any Two or more Justices of the Peace, and who, upon Application made to them by both or either of the said Parties, shall examine into the Matters in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners on behalf of Her Majesty; and such Justices may administer Oaths and Affirmations, and summon and examine Witnesses, in all respects, and with the same Consequences as to false swearing or affirming, as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

exceeding 50*l.* to be determined by Two Justices.

XXII. And be it enacted, That every Sum of Money to be agreed upon or assessed as aforesaid for the Purchase of any Lands which may be required by the said Commissioners, or of any Estate or Interest therein, or for any Recompence, Compensation, or Satisfaction as herein mentioned (except as herein otherwise provided), shall be paid by the said Commissioners either to the Person thereunto entitled or into the Bank of *England*, as herein-after mentioned (as the Case may require), on a clear Title to the Lands, Estate, or Interest in respect of which the same shall be payable being adduced and shown to the Satisfaction of the said Commissioners or of their Counsel.

Purchase Money to be paid by Commissioners to the Party or into the Bank of England on a clear Title being shown.

XXIII. And be it enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any of the Lands to be taken or used by the said Commissioners by virtue of the Powers of this Act, or any Estate or Interest therein, or for any Recompence, Compensation, or Satisfaction under this Act which any Person, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or Cestuique Trust, or any Person or Persons whose Lands so taken are limited in strict or other Settlement, or any Person or Persons under any other Disability or Incapacity shall be entitled unto, interested in, or hereby capacitated to sell; or in case the Lands or Interest for the Purchase whereof the same shall be agreed or assessed to be paid shall be subject to or charged or chargeable with any Incumbrances, Liabilities, Claims, or Demands which cannot or shall not be ascertained, got in, paid off, or discharged; such Money shall, in case the same shall exceed the Sum of Twenty Pounds, with all convenient Speed be paid, together with the Interest payable in respect of the same (if any) into the Bank of *England*, with the Privity of the Accountant General of Her Majesty's High Court of Chancery in *England* (for whose Certificate to be granted in that Behalf the Direction or Request of the said Commissioners shall be a sufficient Warrant), to be placed to his Account there "*ex parte* the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Endorsements thereon, and likewise Endorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering Charges of the Office of the Accountant General of the said Court;* and such Money shall, when so paid in, there remain until the same shall, by Order of the said Court made in a summary Way upon Petition or Motion to be presented or made to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance which affected the Lands in respect whereof such Sum shall have been paid, or affecting other Lands settled to the same or the like Uses, Trusts, Intents, or Purposes as the Lands purchased by the said Commissioners were settled or subject to at the Time of such Purchase, and which the said Court of Chancery shall authorize to be so purchased, redeemed, or discharged; or where such Money or any Part thereof shall not be so applied, then the same, or such unapplied Part thereof, shall be laid out and invested, upon the like Application, and under the like Direction and Approbation of the said Court of Chancery, in the Purchase of other Lands, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands in respect whereof such Purchase Money, Compensation, or Satisfaction shall have been paid were settled or limited, or such of them as at the Time of the Conveyance and Settlement of the Lands so to be purchased shall be existing undetermined and capable of taking effect; and in the meantime and until such Application or Purchase be made the said Money may, by Order of the said Court of Chancery, upon like Application thereto, be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Annuities; and in the meantime, and until such Annuities shall be ordered by the said Court of Chancery to be sold for the Purposes aforesaid, the Dividends or Interest thereof shall from Time to Time be paid, by Order of the same Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Lands so hereby authorized by the Order of the said Court to be purchased in case such Purchase were made.

Purchase Money payable to Persons incapacitated, &c. if exceeding 20*l.*

12 G. 1. c. 32.

12 G. 2. c. 24.

XXIV. And be it enacted, That where any Money so agreed or assessed to be paid as herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands taken or used for the Purposes of this Act, or in respect of which such Recompence, Compensation, or Satisfaction shall be paid for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then

Sums not exceeding 20*l.* to be paid to the Parties entitled to the Rents.

then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

If Party refuse to accept the Sum agreed or assessed, or fail to make a good Title, the Money to be paid into the Bank.

XXV. And be it enacted, That in case any Party to whom any Money shall be agreed or assessed to be paid for the Purchase of any Lands to be taken or used by virtue of the Powers of this Act, or any Estate or Interest therein, or for Recompence, Compensation, or Satisfaction as aforesaid, shall refuse to accept the same, or cannot be found, or shall be absent from the United Kingdom, or shall refuse, neglect, or be unable to make a Title to and convey such Lands, Estate, or Interest to the Satisfaction of the said Commissioners, within Three Calendar Months from the Period of the Value of the Lands or Amount of Recompence, Compensation, or Satisfaction being agreed upon or assessed as aforesaid, or if any Party entitled to contract or agree for the Sale of such Lands, Estate, or Interest shall not be known, or shall be absent from the United Kingdom, or shall refuse to execute any proper Contract or Conveyance for the Sale thereof respectively within the said Three Calendar Months, then and in every such Case it shall be lawful for the said Commissioners to cause the Money so agreed or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Lands, Estate, or Interest, but if such Party or Parties shall not be known then to the Credit of the said Commissioners, subject to the Order, Control, and Disposition of the said Court, which said Court, on the Application of any Party making Claim to such Money or to any Part thereof by Motion or Petition, is hereby empowered, in a summary Way of Proceeding or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends or Interest thereof, according to the Estate, Title, or Interest of the Party making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Commissioners, or to any Party paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what the same is received.

One Tender or Payment of Purchase Money into the Bank Commissioners may enter on the Lands which shall be vested in them in Trust for Her Majesty.

XXVI. And be it enacted, That upon Payment or Tender of such Sums of Money as shall have been agreed upon between the Parties or awarded by a Jury for the Purchase of any Lands, or whenever any of the respective Cases shall happen wherein such Money is herein authorized or directed to be paid into the Bank of *England*, then upon Payment of the same into the Bank of *England* in manner in such Case herein authorized or directed, it shall be lawful for the said Commissioners immediately to enter upon such Lands, and thereupon such Lands, and the Fee Simple and Inheritance thereof, and all the Estate, Use, Trust, and Interest of all Parties therein, shall thenceforth be vested in and become the Property of the said Commissioners, in Trust for Her Majesty, Her Heirs and Successors, for the Purposes of this Act; and when any Money has been paid into the Bank of *England* and such Receipt obtained for the same as aforesaid, the said Commissioners shall not be bound to see to the Application thereof; and such Payment or Tender, or such Deposit in the Bank of *England*, shall in all respects and to all Intents and Purposes operate in the same Manner as if a Conveyance under the Provisions of this Act had been made of the Lands in question to the said Commissioners; and in all Cases whatsoever in which the said Commissioners shall have a Right of Entry under the Provisions of this Act (except a Right of Entry for the Purpose only of making such Survey and Valuation as aforesaid), and Delivery of Possession shall be refused or withheld, it shall be lawful for any Justice of the Peace to issue his Precept or Warrant to a Constable to enter upon the Lands the Possession of which shall be refused or withheld, and to take possession thereof, and to deliver the Possession of the same to such Person as shall in such Precept or Warrant be nominated to receive the same, being a Person appointed in that Behalf by the said Commissioners; and the Constable is hereby authorized and required to take such Possession and to deliver the same accordingly.

In case of Question as to the Title the Monies to be paid into the Bank.

XXVII. And be it enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in pursuance of this Act for the Purchase of or as Recompence, Compensation, or Satisfaction for any Damage or Injury to any Lands purchased or used in pursuance of this Act, or to any Annuities to be purchased with any such Money as herein mentioned, or to the Dividends or Interest of any such Annuities, or to any Part of such Money, Annuities, Dividends, or Interest respectively, the Person who shall have been in Possession of such Lands or in Receipt of the Rents and Profits thereof at the Time of such Purchase, or at the Time when such Damage or Injury shall have occurred, and all Persons claiming under such Person, or under or consistently with the Possession of him, shall be deemed to have been lawfully entitled to such Lands according to such Possession until the contrary be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities to be purchased with such Money, and also the Capital of such Annuities, shall be paid and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some and what other Persons was or were lawfully entitled to such or to some and what Part of such Lands, or to some and what Estate or Interest therein or Charge thereon.

Court of Chancery may make Order as to the Costs in Cases of Payment into the Bank.

XXVIII. And be it enacted, That where the Purchase Money for any Lands to be taken or used for the Purposes of this Act, or the Money paid for any such Recompence, Compensation, or Satisfaction as aforesaid, shall be paid into the Bank of *England* under or in pursuance of this Act, it shall be lawful for the said Court of Chancery, if it shall think fit, to order the Costs, Charges, and Expences of and attending any such Motion, Petition, or Application as aforesaid, and the Proceedings to be had thereon, or so much of such Costs, Charges, and Expences as the said Court shall deem reasonable under the Circumstances of the Case, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners,

Commissioners, who shall from Time to Time pay such Sums of Money in such Manner and for such Purposes as the said Court shall direct.

Lands for the Purchase of which Money is paid to the Bank released from all Rents and Incumbrances.

XXIX. And be it enacted, That where the Money awarded to be paid for any Lands which shall be used for the Purposes of this Act shall be paid into the Bank of *England*, in manner herein-before directed, in consequence of a good Title not having been made to such Lands to the Satisfaction of the said Commissioners, by reason of the same Lands respectively being subject, either alone or together with other Lands not required for the Purposes of this Act, to a Rent payable to some Person unable or unwilling to release therefrom the Lands required to be used for the Purposes of this Act, then and in every or any such Case the Lands for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be agreed or assessed to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof, and all Powers and Remedies for recovering the same; and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the said Court of Chancery, to be signified by an Order made upon Motion or Petition to be preferred or made in a summary Way by the Person who would have been entitled to the Rents and Profits of the Lands for the Value of which such Monies respectively shall have been paid as aforesaid in the Purchase of other Lands, which shall be conveyed and settled (subject, either alone or together with such other Lands, if any, as the Case may be, to such Rent) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands so to be used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto as aforesaid, be invested by the Accountant General of the said Court, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Annuities; and in the meantime, and until such Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the said Lands hereby authorized to be purchased in case such Purchase and Settlement were made; and the Lands so to be purchased and settled shall, either alone or, as the Case may be, together with the said other Lands not required for the Purposes of this Act, and already subject to such Rent, be subject to the same Rent, and shall, in the Conveyance and Settlement thereof, be declared to be subject thereto in the same Manner to all Intents and Purposes as the Lands taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Person to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof, or of any Part thereof, out of or upon the Lands to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as he would have been entitled to if such Rent had originally been reserved out of or charged upon the same, either alone or, as the Case may be, together with such other Lands not required as aforesaid, instead of the Lands to be taken for the Purposes of this Act, or the same Lands or such other Lands (if any) as aforesaid, and in the same Manner to all Intents and Purposes as such Rent was reserved out of or charged upon the Lands so taken, either alone or together with the other Lands subject thereto, as the Case may be; and in the meantime, and until such Purchase shall be made, it shall be lawful for the said Court, upon Application thereto as aforesaid, to order any Part of the Dividends and annual Produce of the Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Person for the Time being entitled to the said Rent in discharge thereof, or Part thereof, as the Case may be.

In Cases of Lands purchased subject with other Lands to any Rent, &c., Commissioners may agree for Release of Charges.

XXX. And be it enacted, That where any Lands purchased or wanted or intended to be purchased by the said Commissioners on behalf of Her Majesty shall be subject, solely or jointly with other Lands not intended or wanted to be purchased, to or with any Rent-service, Rent-charge, or chief Rent, or other Rent, Payment, or Incumbrance, it shall also be lawful for the said Commissioners (if they shall think proper) to agree for the Release of the Lands so purchased or wanted or intended to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance, for such gross Sum as shall be agreed upon between the said Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same; and which Agreement may be entered into by all Persons absolutely entitled, and by all Persons by this Act authorized, capacitated, and empowered to sell or convey Lands; and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Land is by this Act directed to be settled in case of Dispute as to the Value thereof; which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Lands purchased or intended to be purchased for the Purposes of this Act, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Lands jointly subject to such Rent, Payment, or Incumbrance as herein-before mentioned, according to the respective Values of the Lands purchased or intended to be purchased and of the Lands not purchased or intended to be purchased by the said Commissioners; and all Contracts which shall be made by and between the said Commissioners on behalf of Her Majesty, Her Heirs and Successors, and any such Party as aforesaid respecting such Release or Apportionment shall be valid and effectual in the Law; and all Contracts

or Assurances which shall be made with or to the said Commissioners respecting such Release shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Lands so jointly subject a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Lands so purchased therefrom, then and in such Case it shall be lawful for the Person absolutely entitled to the said Rent, Payment, or Incumbrance, or by this Act authorized, capacitated, or empowered to apportion such Rent, Payment, or Incumbrance, or to release the Lands so purchased or intended to be purchased therefrom, (with the Consent of the said Commissioners, and also of the Owner of the Land so jointly subject as aforesaid, although such Owner may only have a limited or partial Interest in such last-mentioned Lands,) to release the Lands so purchased or intended to be purchased as aforesaid from the Rent, Payment, or Incumbrance affecting the same as aforesaid jointly with other Lands, on condition or in consideration of such other Lands continuing or remaining solely and exclusively subject to such Rent, Payment, or Incumbrance: Provided also, that when any of the Lands purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Lands, such last-mentioned Lands shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Part of such Rent, Payment, or Incumbrance, or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the said Commissioners, on Tender for that Purpose, by any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance, to cause to be endorsed a Memorandum on such Deed or Instrument declaring what Part of the Lands subject to such Rent, Payment, or Incumbrance shall have been purchased or intended to be purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

In case of Parts of Lands subject to Lease, or of Copyholds, being taken, Rent to be apportioned.

XXXI. And be it enacted, That in all Cases in which a Part only of any Lands comprised in any Lease or Agreement for Lease, or held by Copy of Court Roll, subject to any Rent, shall be required for the Purposes of this Act, the Rent payable in respect of any such Lands shall (if the said Commissioners think fit) be apportioned between so much of the same Lands as shall be required for the Purposes of this Act and the Residue of such Lands; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Lands to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lessor of such Lands or of the Lord of the Manor of whom such Lands are holden; and any Person hereby or otherwise authorized or capacitated to sell Lands, and who shall be a Lessor or Lord of a Manor, shall be capacitated to assent to such Apportionment, and to bind the Property in respect of such Apportionment; and after such Apportionment the Tenant or Lessee of the Lands comprised in such Lease or Agreement for Lease or Copy of Court Roll shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease, or payable in respect of such Copyhold Lands, as shall have been apportioned in respect of the Lands not required for the Purposes of this Act; and the Lessor or Lord of the Manor of the same Lands shall have all such and the same Remedies for recovering and compelling Payment of the Rent so apportioned in respect of the Lands not required for the Purposes of this Act as before such Apportionment he had or was entitled to in respect of the Rents reserved or agreed to be reserved in such Lease or Agreement for Lease, or payable in respect of such Copyhold Lands as aforesaid; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, or invalidate, prejudice, or destroy the Customs of any Manor in other respects, so far as the same relate to or affect the Lands not required for the Purposes of this Act; but the same shall, as to such last-mentioned Lands, but not further or otherwise, continue in full Force and Operation.

Mortgagees to convey upon Payment or Tender of Principal and Interest.

XXXII. And be it enacted, That all Persons having any Mortgage on any Lands which shall be required to be taken for the Purposes of this Act (and whether entitled thereto in their own Right or in Trust for any other Person, and whether in Possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage shall affect such Lands solely or jointly with any other Lands,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption of and in the Lands so mortgaged, in case the same shall be sufficient for the Purpose), immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Lands which shall be so required to the said Commissioners, or to such Person as they shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Lands, that they or he will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or less Number of Calendar Months,

to

to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Lands which shall be so required for the Purposes of this Act to the said Commissioners, or as they shall direct; and in case any such Mortgagee shall refuse to convey, assign, or transfer as aforesaid on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Court of Chancery in *England* as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall, in either of the Cases aforesaid, neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England* at the End of such Six or less Calendar Months (as the Case may be) from the Day of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance for the Use of such Mortgagee, at any Time after the Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon, or, as the Case may be, upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him or for whom he shall be a Trustee, shall vest in the said Commissioners, who shall be deemed to be in the actual Possession of the Lands comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

Where Lands in Mortgage are of less Value than the Money secured thereon, or where only Part of Lands in Mortgage are required.

XXXIII. And be it enacted, That in all Cases in which any Lands subject to any Mortgage shall be required for the Purposes of this Act, and in which such Lands shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Lands, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to be become due thereon, and all Costs, the Value of such Lands, or, as the Case may be, of such Part of the said Lands, as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees and the Trustee or other Person entitled to the Equity of Redemption of such Lands, whether absolutely or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on behalf of Her Majesty on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference under this Act, and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Lands, the Value whereof or Compensation for which shall so have been agreed upon or determined as aforesaid; or in case of his, her, or their neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee or Mortgagees as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Lands as shall be so taken or used from all Principal and Interest, and other Money due or secured thereon, and thereupon such mortgaged Lands so taken or used shall become absolutely vested in the said Commissioners, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage: Provided also, that when a Part only of the Lands subject to any Mortgage shall be required or shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands so taken shall, on the Assignment or Conveyance thereof to the said Commissioners, have been paid to the Mortgagee or Mortgagees thereof in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the said Commissioners, and shall be signed by such Mortgagee or Mortgagees, and a Copy of such Memorandum shall at the same Time, if required, be furnished by the said Commissioners to the Person so entitled as aforesaid to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Form of Conveyance.

XXXIV. And be it enacted, That Conveyances of Lands purchased by virtue or in pursuance of this Act may be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; (that is to say,)

'I of in consideration of the Sum of to me [*or, as the Case may be,*] into the Bank of *England*, paid by the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, do hereby convey to the said Commissioners all [*describing the Lands to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest in and to the same, and every Part thereof, as I am or shall become seised or possessed of, or am by an Act of Parliament passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], capacitated or empowered to convey, to hold the said Lands to the said Commissioners in Trust, and according to the Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal the Day of in the Year of our Lord '

Conveyance to Commissioners to merge all Terms of Years.

And all such and other Conveyances to the said Commissioners shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands in such Conveyances respectively comprised; but although any such Terms of Years shall be merged as aforesaid, yet they shall in Equity respectively afford the same or the like Protection and Priority against mesne Incumbrances as if such Terms of Years were assigned and kept on foot in Trust for the said Commissioners, and to attend the Freehold Reversion or Inheritance of the Lands therein comprised.

Copyhold Lands to be conveyed and remain as Freehold.

Compensation to Lords of Manors.

XXXV. And be it enacted, That if any Lands required by the said Commissioners shall be of Copyhold or Customary or any other Tenure than Freehold Tenure the same shall be conveyed to the said Commissioners as if the same were Freehold, without any Forfeiture being thereby incurred, and the same shall be and remain of Freehold Tenure in Fee Simple when conveyed to the said Commissioners, and for ever thereafter; but nevertheless the said Commissioners shall pay a reasonable Recompence and Satisfaction to the Lord of the Manor, or other Person of whom such Lands were holden, for the Loss which may arise to such Lord or other Person in respect of the Fines, Heriots, Rents, Reliefs, and other Services and Advantages the Receipt or Enjoyment of which shall be diminished or lost by such Copyhold or Customary Lands, or Lands of other Tenure, becoming Freehold as aforesaid; and such Recompence and Satisfaction, if not settled by Agreement between the Parties, (and which Agreement all Lords of Manors and other Persons, howsoever limited their Estate or Interest in the Manor or Property may be, and whether they be or be not Trustees, are hereby empowered to enter into,) shall be ascertained and settled by the Verdict of a Jury in like Manner as the Price of any Lands to be taken by virtue of this Act in case of Dispute as to the Value thereof, and liable to the same Conditions as to Costs; and the Money to be paid for the same shall be applied and disposed of as Purchase Money for Lands are by this Act directed to be applied and disposed of.

As to Common or Waste Lands taken under this Act.

XXXVI. And be it enacted, That in all Cases wherein in the Execution of the Powers of this Act there shall be Occasion to take or use any Common or Waste Land, or any other Land which shall be subject or liable to the Exercise of any Right or Privilege of Common thereupon of any Nature or Kind whatsoever, the Conveyance of such Common or Waste Land or other Land by any Person having such Estate or Interest in the Manor wherein such Common or Waste Land shall be situate, or if the same shall not be the Waste Land of any Manor, then having such Estate or Interest in the Soil of the said Lands as the Person who is by this Act or otherwise enabled to sell other Lands has in such Lands, (and which Conveyance may be of the like Form as by this Act is directed to be used in the Case of Conveyance of other Lands,) shall be a good and sufficient Conveyance to the said Commissioners for the Purpose of vesting in them the Fee Simple and Inheritance of such Common or Waste Lands or other Lands, as fully and effectually as if every Person having any such Right of Common upon such Common or Waste Land or other Lands were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and for the Purposes of this Act the Party having the Power to convey such Land shall be deemed the absolute Owner thereof in Fee Simple.

Commissioners may stop up or divert Roads.

XXXVII. And be it enacted, That it shall be lawful for the said Commissioners, without any Writ being issued or other legal Proceeding being adopted, to stop up and divert any Landing Place, Turnpike Road, Highway, Street, Carriageway, Horseway, Footway, and Causeway on, near, or adjoining to any Land required for the Purposes of this Act, they, at the Cost of Her Majesty, previously making and opening another good and sufficient Landing Place, Road, or Way, with requisite Boundary Fences, in lieu of that which may be diverted or stopped up, and at such convenient Distance therefrom as to the said Commissioners shall seem proper and necessary; and upon such substituted Landing Place, Road, or Way being completed the Landing Place, Road, or Way diverted or stopped up, and the Soil thereof, shall vest absolutely in the said Commissioners, in Trust for Her Majesty, Her Heirs and Successors, for the Public Service; and the new Landing Place, Road, or Way, and the Soil thereof, shall vest in the same Trustees or other Persons as the Landing Place, Road, or Way so diverted or stopped up was vested in at the Time of the Diversion or Stoppage thereof by the said Commissioners: Provided always, that in case it shall be deemed necessary to stop up or divert any Turnpike or other Road,

Road, Landing Place, Highway, Street, Carriage or other Way, under or through which any public Drain or Sewer or Main Pipe for the Conveyance of Water shall pass or be laid, the said Commissioners, previous to any such Drain, Sewer, or Pipe being disturbed or injured, shall, at the Costs of Her Majesty, cause another good and sufficient Drain or Sewer to be made and other and sufficient Pipe or Pipes for the Conveyance of Water to be laid down through or under the Road or Way intended to be substituted.

Roads in lieu of those stopped up or diverted to be kept in repair by the Commissioners for 12 Months.

XXXVIII. And be it enacted, That every Road or Way which shall be substituted by the said Commissioners for any Road or Way stopped up or diverted by them shall be kept in repair by the said Commissioners, at the Cost of Her Majesty, Her Heirs and Successors, for the Space of Twelve Calendar Months from the Time of the Opening thereof; and at the Expiration of such Twelve Calendar Months the substituted Road or Way shall be repaired for ever thereafter by and at the Cost of the Trustees or other Persons who would or ought to have kept in repair the Road or Way so diverted or stopped up.

Tenants by the Year or at Will to quit on Notice.

XXXIX. And be it enacted, That every Tenant or Lessee for a Year or from Year to Year, or any other Person or Persons in Possession of any Lands which shall be required or purchased by virtue of this Act, who shall have no greater Interest in such Lands than as Lessee for a Year or from Year to Year thereof, shall, at the Expiration of any Notice, not being less than Three Calendar Months, such Notice being in Writing signed by the said Commissioners or by any Person under their Authority, and given to him, her, or them, or left at the Lands which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, quit and relinquish the said Lands unto the said Commissioners, or unto such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Tenant or Lessee shall be compelled to quit before the Expiration of his Term or Interest in any such Lands, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he shall sustain thereby; and in case of any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Lands (and liable to the same Conditions as to Costs) are herein-before directed to be ascertained; or, if the said Commissioners and the other Parties in Difference shall so agree, the same may be settled by a Reference to the Award of an Arbitrator or Arbitrators to be agreed on or chosen by the Parties; and that all Persons so in the Possession of any Lands or any Part of the same which shall or may be required or purchased in pursuance of this Act, shall, upon Tender or Payment as aforesaid of such Recompence or Satisfaction for any of his Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled and awarded by any Arbitrator, Referee, or Umpire, or by Verdict or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Lands so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases and Agreements whatsoever by virtue whereof any such Person shall hold the said Lands shall at the Expiration of such Notice, or upon such Payment or Tender as aforesaid in case the Party shall be entitled to Compensation, be absolutely void as against Her Majesty, Her Heirs and Successors, and the said Commissioners; and if any such Tenant or Lessee or other Person shall refuse or neglect to deliver up the Lands in his, her, or their Possession at the Expiration of such Notice, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace to issue his Precept or Warrant to a Constable to enter upon the said Lands, and to take Possession thereof, and to deliver the Possession thereof to such Person as shall in such Precept or Warrant be nominated to receive the same, being a Person appointed in that Behalf by the said Commissioners; and the Constable is hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Compensation to be made to such Tenants.

Amount of Claims may be referred to Arbitration.

XL. And be it enacted, That all Persons hereby or otherwise capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid or the Land to be given in Exchange for any Lands required to be purchased by virtue of this Act, or for any Estate or Interest therein or Charge or Incumbrance thereon, or as to the Amount to be paid by way of Compensation for any Damage whatsoever, or with reference to the Value of any Goodwill, Improvements, or Fixtures, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to assess the Amount to be paid; and every such Agreement and the Award of such Person or Persons shall be in all respects binding and effectual.

Limitation of Actions, &c.

XLI. And be it enacted, That no Action, Suit, or other Proceeding shall be commenced or brought against any Person for any thing done in execution or in pursuance of this Act until after Twenty-eight Days Notice thereof shall have been given to the Secretary of the Admiralty for the Time being, clearly and explicitly specifying the Cause of Action, Suit, or Proceeding, and the Name and Place of Abode of the Person commencing the same, and of his Attorney or Agent (if any), nor after a sufficient Compensation or Tender thereof made to the Party aggrieved, nor after Three Calendar Months next after the Act committed; and the Defendant in every such Action or Suit may, at his, her, or their Election, plead either specially or the General Issue, and give this Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in the Execution and in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-eight Days Notice thereof shall have been given as aforesaid, or after sufficient Compensation made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given

given against the Plaintiff, then the Defendant shall he entitled to and recover his full Costs, and shall have such Remedy for recovering the same as any Defendant hath for his Costs in any other Cases by Law.

In case of Verdict against Defendant for any thing done under this Act the Judge may certify.

XLII. And be it enacted, That in case any Action, Suit, Indictment, or other Proceeding or Prosecution shall be commenced or be brought to Trial or Hearing against any Person whomsoever on account of any Act, Matter, or Thing done in or arising out of the Execution of the Powers given by or otherwise in effecting and completing the Purposes of this Act, wherein a Verdict or Conviction shall be given or obtained against the Defendant, if the Court or Judge before whom such Action, Indictment, Suit, or other Prosecution shall be tried or heard shall certify on the Record, or if on a summary Conviction the Justice of the Peace shall consider and certify, that there was a reasonable Cause for the doing such Act, Matter, or Thing as aforesaid, the Plaintiff or Complainant in such Action, Suit, or Proceeding shall not be entitled to any Costs, nor shall the Defendant in any such Prosecution or Proceeding be subject to a greater Punishment than a Fine of One Shilling.

Conveyances and Contracts exempt from Stamps.

XLIII. And be it enacted, That all Conveyances to and all Contracts with the said Commissioners for the Purposes of this Act, and all Assurances, Assignments, Deeds, Documents, and Memoranda whatsoever, be the same of Record or not of Record, and all Receipts which may have reference to or which may be necessary to give Effect and Validity to any and every Purchase or Payment made by the said Commissioners under or by virtue of this Act, shall be exempt from all Stamp Duties whatsoever, and shall be admitted and received as Evidence in all Courts of Justice and for other Purposes as other Deeds and Documents of a like Nature are when duly and properly stamped.

In case of the Appointment of a Lord High Admiral, Lands purchased to be vested in him.

XLIV. And be it enacted, That whenever it shall please Her Majesty, Her Heirs and Successors, to appoint a Lord High Admiral of the United Kingdom, then, and so long and as often as there shall be a Lord High Admiral of the said United Kingdom, all the Lands and Powers vested in or given to or hereafter to be vested in or given to the Commissioners for executing the Office of Lord High Admiral of the said United Kingdom, under or by virtue of any Act or Acts now in force, or of this Act, or of any Act or Acts in this present Session of Parliament or hereafter to be passed, shall be and become vested in the Lord High Admiral of the United Kingdom for the Time being, in Trust for Her Majesty, Her Heirs and Successors, for the Public Service, and he for the Time being shall be the sole Commissioner for carrying this Act into effect.

Interpretation of Act.

XLV. And be it enacted, That in the Construction and for the Purposes of this Act, unless there be something in the Subject or Context repugnant to such Construction, the following Words shall have the Meaning herein-after assigned to them respectively; (that is to say,)

The Words "Person" and "Persons" shall each of them be construed to include all Bodies Politic, Corporate, and Collegiate, Ecclesiastical and Civil, both Aggregate and Sole, as well as every private Individual:

The Word "Lands" shall be construed to include Lands of every Tenure, and also Houses, Buildings, Grounds, Tenements, and Hereditaments, both corporeal and incorporeal, of every Description and Tenure:

And every Word importing the Singular Number shall extend and be applied to several Corporations, Persons, or Things, as well as one Corporation, Person, or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Corporation, or Thing, as well as to several Persons, Corporations, or Things:

And every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male.

Public Act.

XLVI. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Act may be amended, &c.

XLVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LIX.

An Act to continue until the First Day of *August* One thousand eight hundred and forty-four, and, if Parliament be then sitting, to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads. [17th *August* 1843.]

4 & 5 Vict. c. 59.

CAP. LX.

An Act for suspending, until the First Day of *October* One thousand eight hundred and forty-four, the Operation of the new Arrangement of Dioceses, so far as it affects the existing Ecclesiastical Jurisdictions. [17th *August* 1843.]

6 & 7 W. 4. c. 77.

'WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for carrying into effect the Reports of the Commissioners appointed to consider the State of the Established Church in* England *and* Wales *with reference to Ecclesiastical Duties and Revenues, so far as they relate to Episcopal Dioceses, Revenues, and Patronage*, and the said Act contains certain temporary Provisions relating to the State and Jurisdiction of all the Ecclesiastical Courts in *England* and *Wales:* And whereas the said temporary Provisions, having been from Time to Time continued by certain other Acts of Parliament, were further continued, together with a further Provision respecting the Visitations of Bishops and Archdeacons, contained in an Act passed in the Fifth Year of Her

4 & 5 Vict. c. 39.

Majesty's Reign, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical*

Commissioners

'*Commissioners for* England, and now stand continued until the First Day of *October* next: And whereas it is expedient that the said temporary Provisions, and such further Provision as aforesaid, should be further continued for a limited Time:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said temporary Provisions, and the said further Provision relating to the Visitations of Bishops and Archdeacons, shall continue and be in force until the First Day of *October* in the Year One thousand eight hundred and forty-four. Temporary Provisions relating to Ecclesiastical Courts and Provision relating to Visitations continued.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXI.

An Act to remove Doubts respecting the Admission of Ministers to Benefices in that Part of the United Kingdom called *Scotland*. [17th *August* 1843.]

'WHEREAS certain Acts of the Parliament of *Scotland* and of the United Kingdom of *Great Britain* have declared that the Right of Collation in regard to the Settlement of Ministers in the Parishes to which they may be presented belongs to the Church established by Law in that Part of the United Kingdom called *Scotland*: And whereas Provision has been made by the Statutes for securing to the Church the exclusive Right of examining and admitting any Person who may be presented to a Benefice having Cure by the Patron of such Benefice; and in particular by an Act passed in the Parliament of *Scotland* in the Year One thousand five hundred and sixty-seven, intituled *Admission of Ministers; of Laick Patronages*, it is statute and ordained, that the Examination and Admission of Ministers within this Realm be only in the Power of the Kirk now openlie and publicly professed within the samin, the Presentation of Laick Patronage alwaies reserved to the just and auncient Patrones; and by an Act passed in the Parliament of *Scotland* in the Year One thousand five hundred and ninety-two, intituled *Ratification of the Liberty of the trew Kirk*, the Government of the Church by Presbyteries, Synods, and General Assemblies was ratified and established, and it was ordained that all Presentations to Benefices be direct to the particular Presbyteries in all Time cumming, with full Power to give Collation thereupon, and to put Ordour to all Maters and Causes Ecclesiastical within their Boundes according to the Discipline of the Kirk; providing the foresaids Presbyteries be bound and astricted to receive and admitt whatsumever qualified Minister presented be His Majesty or Laick Patrones; and by an Act of the Parliament of *Great Britain* passed in the Tenth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act to restore the Patrones to their ancient Rights of presenting Ministers to the Churches vacant in that Part of* Great Britain *called* Scotland, the Right of the Church to receive and admit Persons presented to Benefices was again recognized and secured; and by an Act of the Parliament of *Great Britain* passed in the Fifth Year of the Reign of His Majesty King *George* the First, intituled *An Act for making more effectual the Laws appointing the Oaths for Security of the Government to be taken by Ministers and Preachers in Churches in* Scotland, *providing that certain Oaths should be taken by Ministers and Preachers of the Church of* Scotland, *and for preventing Delays in the supplying or filling up of vacant Churches in* Scotland, it is also declared and enacted, that nothing herein contained shall prejudice or diminish the Rights of the Church, as the same now stands by Law established, as to the trying of the Qualities of any Person presented to any Church or Benefice: And whereas it is expedient to remove any Doubt which may exist as to the Powers and Jurisdiction of the Church as by Law established in *Scotland* in the Matter of Collation, and as to the Right of the Church to decide that no Person be settled in any Parish or Benefice having Cure against whom or whose Settlement in such Parish or Benefice there exists any just Cause of Exception:' May it therefore please Your Majesty that it may be declared and enacted; and be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when a Presentation to any Benefice within that Part of the United Kingdom called *Scotland* by the undoubted Patron has been laid before the Presbytery of the Bounds, it shall and may be lawful for the Presbytery, as Part and as the Commencement of the Proceedings in the Examination and Admission of the Person so presented for the Cure of that Parish, and of the Trial of his Gifts and Qualities, to appoint him to preach in the Church of the said Parish at such Times as the Presbytery may direct, or as may be directed by any Regulations of the General Assembly to that Effect; and after the Presentee shall have preached in the Parish Church according to the Directions of the Presbytery, the Presbytery, or a Committee of their Number, shall meet, after due Notice, at the said Church, and shall intimate that if any One or more Parishioners being Members of the Congregation have any Objection to the Individual so presented, in respect to his Ministerial Gifts and Qualities, either in general or with reference to that particular Parish, or any Reason to state against his Settlement in that Parish, and which Objections or Reasons do not infer Matter of Charge against the Presentee to be prosecuted and followed out according to the Forms and Discipline of the Church, the Presbytery are ready, either then or at their next Meeting, to receive the same in Writing, or to write down the same in their Minutes in the Form and Manner which such Parishioners may desire. 1567. c. 7. 1592. c. 114. 10 Ann. c. 12. 5 G. 1. c. 29. Upon Presentation to a Benefice being laid before any Presbytery they may require the Person presented to preach in the Parish Church, and thereupon may meet, after due Notice, to receive or enter Reasons or Objections against him.

II. And be it enacted, That the Objections or Reasons aforesaid shall be fully considered and disposed of by the Presbytery by whom they are to be cognosced and determined on judicially, or shall be referred by the Presbytery to the superior Judicatory of the Church for Decision, as the Presbytery may see Cause, Reasons and Objections to be determined by Presbytery,

or referred to superior Judicatory of the Church.

Cause, the Presentee and all Parties having Interest being heard in either Case on the same; and the Presbytery or other Judicatory of the Church to whom the said Objections or Reasons shall be stated or referred as aforesaid shall, in cognoscing and determining on the same judicially, have regard only to such Objections and Reasons so stated as are personal to the Presentee in regard to his Ministerial Gifts and Qualities, either in general or with respect to that particular Parish, but shall be entitled to have regard to the whole Circumstances and Condition of the Parish, to the Spiritual Welfare and Edification of the People, and to the Character and Number of the Persons by whom the said Objections or Reasons shall be preferred; and if the Presbytery or other Judicatory of the Church shall come to the Conclusion, as their Judgment on the whole Matter, that the said Objections or Reasons, or any of them, are well founded, and that in respect thereof the Individual presented is not a qualified and suitable Person for the Functions of the Ministry in that particular Parish, and ought not to be settled in the same, they shall pronounce a Deliverance to that Effect, and shall set forth and specify in such Deliverance the special Ground or Grounds on which it is founded, and in respect of which they find that the Presentee is not qualified for that Charge, in which event they shall intimate their Deliverance respecting the Presentee to the Patron, who shall thereupon have Power to issue another Presentation within the Period of Six Calendar Months after the Date of such Deliverance if no Appeal shall be taken to a superior Judicatory of the Church, or in the event of an Appeal being taken to a superior Judicatory of the Church, then within Six Months after the Date of the Judgment of the superior Judicatory of the Church affirming the Deliverance of the inferior Judicatory of the Church or dismissing the Appeal.

To what the Presbytery shall have regard in their Determination.

If the Presbytery support such Objections, they shall issue a Deliverance to that Effect, and Patron may make another Presentation.

If no good Objections against Presentee, Presbytery shall (subject to Appeal) proceed to further Trial, and admit him if qualified.

III. And be it enacted, That if the Presbytery or other Judicatory of the Church, after considering all the Objections aforesaid to the Presentee and all the Reasons stated against his Settlement in that particular Parish, shall be satisfied, in the Discharge of their Functions and in the Exercise of their Authority and Duty as Ministers of the Gospel and as Office-bearers in the Church, that no good Objections against the Individual or no good Reason against his Settlement has been stated as aforesaid, or that the Objections and Reasons stated are not truly founded in any Objection personal to the Presentee in regard to his Ministerial Gifts and Qualities, either in general or with reference to that particular Parish, or arise from causeless Prejudices, the said Presbytery or other Judicatory of the Church shall repel the same, and, subject to the Right of Appeal as herein-after provided, shall complete the further Trials and Examination of the Presentee, and, if found by them to be qualified for the Ministry in that Parish, shall admit and receive him into the Benefice as by Law provided.

No Presentee to be rejected unless upon Objections to be judged of by Presbytery, &c.

IV. And be it enacted, That it shall not be lawful for any Presbytery or other Judicatory of the Church to reject any Presentee upon the Ground of any mere Dissent or Dislike expressed by any Part of the Congregation of the Parish to which he is presented, and which Dissent or Dislike shall not be founded upon Objections or Reasons to be fully cognosced, judged of, and determined in the Manner aforesaid by the said Presbytery or other Judicatory of the Church.

Presentee, &c. may appeal to superior Judicatory.

V. And be it enacted, That it shall be in the Power of the Presentee, Patron, or Objectors to appeal from any Deliverance pronounced as aforesaid by the said Presbytery acting within its Competency as a Judicatory of the Church, which Appeal shall lie exclusively to the superior Judicatories of the Church according to the Forms and Government of the Church of *Scotland* as by Law established.

The Right of Presentees now in possession not to be challenged, although a former Presentee may have been rejected under the Act of General Assembly of May 1835.

VI. 'And whereas by an Act of the General Assembly of the Church of *Scotland*, of Date Twenty-ninth *May* One thousand eight hundred and thirty-five, it was made an Instruction to Presbyteries that if at the moderating in a Call to a vacant Parish the major Part of the Male Heads of Families, Members of the vacant Congregation and in full Communion with the Church, shall disapprove of the Person in whose Favour the Call is proposed to be moderated in, such Disapproval shall be deemed sufficient Ground for the Presbytery rejecting such Person, and that he shall be rejected accordingly, and certain Regulations were passed for carrying the said Instructions into effect: And whereas it has been found by final Judgment of the Court of Session, affirmed by the House of Lords, that a Presbytery, acting in pursuance of said Act of Assembly and Regulations, refusing to take Trial of the Qualifications of a Presentee, and rejecting him on the sole Ground that a Majority of the Male Heads of Families Communicants in the said Parish have dissented, without any Reasons assigned, from his Admission as Minister, acted illegally and in violation of their Duty, and contrary to the Provisions of certain Statutes of the Realm, and particularly the Statute of the Tenth Year of Queen *Anne*, Chapter Twelve, intituled *An Act to restore Patrons to their ancient Rights of presenting Ministers to the Churches vacant in that Part of* Great Britain *called* Scotland: And whereas in some Instances a Presentee has, in pursuance of the said Act of Assembly and Regulations relative thereto, been rejected by a Presbytery because of the Dissents of Male Heads of Families Communicants, and a Presentation has thereafter been issued in favour of a second or subsequent Presentee, who has been settled in the same Benefice, and whose Settlement therein and Right thereto have not been questioned in any Court of Law: And whereas it is expedient that such Settlement in and Right to the Benefice should be secured and protected from future Challenge on the Ground of the Incompetency of the Rejection of the first or prior Presentee;' be it enacted, That it shall not be competent to challenge the Settlement or Right to the Benefice of any such second or subsequent Presentee, or to maintain any Proceedings at Law against the Presbytery or Ministers thereof, or other Parties, on account of such Rejection, unless such Challenge or Proceedings shall have been instituted by Action raised in a Court of Law before the First Day of *May* last.

10 Ann. c. 12.

CAP. LXII.

An Act to provide for the Performance of the Episcopal Functions in case of the Incapacity of any Bishop or Archbishop. [22d *August* 1843.]

'WHEREAS it is expedient to make Provision for the Performance of the Functions of any Bishop or Archbishop who shall be incapable of duly exercising them in Person:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever any Archbishop of *England* or *Ireland* shall have Reason to believe that any Bishop of his Province is incapable by reason of mental Infirmity of duly performing his Episcopal Functions, it shall be lawful for such Archbishop to give a Notice under his Hand to such Bishop, that unless within Fourteen Days from the Service thereof satisfactory Cause to the contrary be shown by or on behalf of such Bishop, the said Archbishop will issue a Commission to inquire into the State of the mental Capacity of the said Bishop, and if within Fourteen Days from the Service of such Notice Cause to the contrary be not shown to the Satisfaction of the Archbishop, it shall be lawful for such Archbishop to issue a Commission to Three Persons being Members of the United Church of *England* and *Ireland*, one of whom shall be his Vicar General, and another one of the Bishops of the Province, to inquire into the Facts of the Case: Provided always, that the aforesaid Notice shall be served by leaving a Copy thereof with the Bishop or his Secretary. Commission of Inquiry.

II. And be it enacted, That it shall be lawful in any such Inquiry for any Two or more of the Commissioners to require the Attendance of such Witnesses as may be necessary; and such Commissioners respectively shall have the same Powers for this Purpose as now belong to the Consistorial Court and to the Court of Arches respectively. Attendance of Witnesses may be compelled.

III. And be it enacted, That it shall be lawful for the said Commissioners to examine upon Oath, or upon solemn Affirmation in Cases where an Affirmation is allowed by Law instead of an Oath, all Witnesses whom they may deem it necessary to summon for the Purpose of fully prosecuting the Inquiry, as well as all Witnesses tendered to them for Examination by or on behalf of the Bishop concerning whom the Inquiry is pending; and Notice of the Time and Place at which the First Meeting of the Commissioners shall be holden for the Purpose of prosecuting the Inquiry shall be given in Writing, under the Hand of One of the said Commissioners, to the Bishop, and shall be served upon him by leaving one Copy thereof with the Bishop or his Secretary, and another Copy thereof with the Registrar of his Diocese, Fourteen Days at least before the Meeting; and it shall be lawful for the said Bishop, and his nearest Friend or One of his next of Kin, or his or their Counsel, Proctor, or Agent, to attend the Proceedings of the Commission, and to examine any of the Witnesses; and all such Proceedings shall be public, unless, on the special Application of the Bishop or his nearest Friend, or any One or more of his next of Kin, the Commissioners shall think fit to direct that the same or any Part thereof shall be private; and every such Oath or Affirmation shall be administered by the said Commissioners, or One of them: Provided always, that at the Request or with the Consent of the Bishop or his nearest Friend, or any One or more of his next of Kin, it shall be lawful for the Commissioners to take Evidence upon Affidavit to be sworn before One of the said Commissioners or a Master in Chancery: Provided also, that the said Commissioners shall not direct the Proceedings or any Part thereof to be in private, nor shall take Evidence upon Affidavit, if the Bishop, or his Counsel, Proctor, or Agent, object thereto. Proceedings of the Commissioners.

IV. And be it enacted, That every Witness who shall be examined in pursuance of this Act by or before the said Commissioners, and who shall wilfully swear or affirm falsely, and also every Person who shall swear to the Contents of any such Affidavit knowing the same or any Part thereof to be untrue, shall be deemed guilty of Perjury. Witnesses giving false Evidence guilty of Perjury.

V. And be it enacted, That the said Commissioners, or any Two of them, shall transmit to the Archbishop under their Hands and Seals the Depositions of Witnesses taken before them, and all such Affidavits, and also a Report of the Opinion of the Majority of the Commissioners whether or not the Bishop is incapable by reason of mental Infirmity of duly performing his Episcopal Functions, and such Report shall be filed in the Registry of the Diocese; and the Commissioners shall also, upon the Application of the Bishop or of his nearest Friend, or any One or more of his next of Kin, or his or their Counsel, Proctor, or Agent, cause to be delivered to such Party a Copy of the said Report and the Depositions and Affidavits. Report of the Commissioners.

VI. And be it enacted, That all the Expences of such Inquiry shall be certified under the Hands of Two of the said Commissioners, and, when allowed by the Archbishop by whom the Commission shall have been issued, shall be defrayed out of the Revenues of the Bishoprick. For defraying the Expences of the Inquiry.

VII. And be it enacted, That the like Proceedings shall be had in the Case of like Infirmity of any Archbishop of the Realm: Provided always, that in such Case all things herein-before required to be done by or with respect to the Archbishop of the Province shall be done by and with respect to the Lord High Chancellor of *Great Britain*, or the Lord High Chancellor of *Ireland*, accordingly as the Archbishop concerning whom the Inquiry is to be made is of *England* or *Ireland*; and of the Three Persons being Members of the United Church of *England* and *Ireland* to be appointed Commissioners, one shall be a Bishop of the Province, another shall be the other Archbishop of *England* or of *Ireland* respectively, as the Case may be, and if the Commission shall be issued by the Lord High Chancellor of *Great Britain* the Third Commissioner shall be the Master of the Rolls or One of the Vice Chancellors of *England*, and if the Commission shall be issued by the Lord Chancellor of *Ireland* the Third Commissioner The like Proceedings in the Case of an Archbishop.

sioner shall be the Master of the Rolls or One of the Barons of the Exchequer of *Ireland;* and in every such Case the Report of the Commissioners shall be filed in the Registry of the Province; and the Expences of the Inquiry, when allowed by the Lord Chancellor by whom the Commission shall have been issued, shall be defrayed out of the Revenues of the Archbishoprick.

Commissioners to be sworn.

VIII. And be it enacted, That every Commissioner to be appointed by virtue of this Act shall, at or before the First Meeting of the Commissioners for the Purpose of prosecuting the Inquiry, take before the Archbishop or Lord Chancellor issuing such Commission, or before a Master Extraordinary in Chancery, the following Oath; (that is to say,)

'I do swear, That I will faithfully, impartially, and honestly, according to the best of 'my Skill and Knowledge, execute the several Powers and Trusts reposed in me under a Commission 'of Inquiry issued by relating to the Capacity of [Lord Bishop *or* Arch-'bishop of] duly to perform his [Episcopal *or* Archiepiscopal] Functions, and that without 'Favour or Affection, Prejudice or Malice. So help me GOD.'

Petition to Her Majesty or Lord Lieutenant of Ireland in Council.

IX. And be it enacted, That at any Time before the Expiration of Twenty-eight Days after the filing of the Report of the Commissioners in the Registry of the Diocese or Province, as the Case may be, it shall be lawful for the Bishop or Archbishop concerning whom such Inquiry shall have been made, or for his nearest Friend, or any One or more of his next of Kin, or his or their Counsel, Proctor, or Agent, to present a Petition to Her Majesty in Council, or to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being in Council, praying that no such Letters Patent as are hereafter mentioned may be issued; and at the same Time to lodge with the Clerk of the Council an Office Copy of the Report of the Commissioners, and of the Depositions and Affidavits whereon the same is founded; and the Matter of such Petition shall be heard or considered on such Report, Depositions, and Affidavits in *England* before the Judicial Committee of the Privy Council, in case Her Majesty shall be pleased to refer it to the said Committee, and in *Ireland* before the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being in Council; and a Copy of the Order in Council, containing the Decision in the Matter of such Petition, shall, by the Clerk of the Council, be transmitted to the Registry of the Diocese or Province, as the Case may be, and shall be there filed.

Episcopal Members of Judicial Committee.

X. And be it enacted, That every Archbishop and Bishop of the United Church of *England* and *Ireland* who now is or at any Time hereafter shall be sworn of Her Majesty's Most Honourable Privy Council in *England* shall be a Member of the Judicial Committee of the Privy Council for the Purposes of this Act.

Appointment of a Bishop to perform the Episcopal Functions;

XI. And be it enacted, That whenever it shall appear to the Archbishop or Lord Chancellor, as the Case may be, on the Report of the said Commissioners, that the Bishop or Archbishop concerning whom the Inquiry has been made is incapable by reason of mental Infirmity of duly performing his Episcopal or Archiepiscopal Functions, it shall be lawful for such Archbishop or Lord Chancellor after the Expiration of the said Period of Twenty-eight Days, or in case any such Petition as aforesaid shall be presented within such Period of Twenty-eight Days, then at any Time after the Prayer thereof shall have been pronounced against or abandoned, to make Request to Her Majesty for Remedy thereof, and thereupon it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of *Great Britain* or the Great Seal of *Ireland*, as the Case may be, to appoint One of the Bishops of the same Province, being a Bishop of *England* or *Ireland*, and not being One of the Commissioners aforesaid, to exercise all the Functions and Powers, as well with regard to the Temporalities as the Spiritualities, of the Bishop or Archbishop so found to have become incapable; and in case of the Death or Incapacity, Deprivation or Suspension of the Bishop so appointed, or in case Her Majesty shall, on the Petition of such Bishop, be pleased to relieve him from the further Exercise of such Functions and Powers, it shall be lawful for Her Majesty in like Manner to appoint another such Bishop, and so as often as the Case shall happen; and it shall be lawful for the Bishop so appointed, and the Archbishop or Lord Chancellor (as the Case may be) by whom the Commission aforesaid was issued, or any Successor of such Archbishop or Lord Chancellor, by an Instrument in Writing under their Hands and Seals, jointly to commission and appoint a Spiritual Person to assist in the Administration of the Temporalities of the See, and in such Matters of Jurisdiction of the See or Province of the Bishop or Archbishop so found to have become incapable as shall and may be lawfully committed to him, which Spiritual Person shall give to the Bishop and to the Archbishop or Lord Chancellor by whom he shall be appointed a Bond, with sufficient Surety in a sufficient Sum, with a Condition for his duly accounting for the Monies which may come to his Hands by virtue of his Office; and it shall be lawful for the Bishop so appointed, and the same or any succeeding Archbishop or Lord Chancellor, at their Pleasure, to revoke and cancel such Appointment, and in any such Case, or upon the Death or Resignation of such Spiritual Person, in like Manner to commission and appoint another Spiritual Person, on his giving such Security as before mentioned, and so from Time to Time as often as the Case shall happen; and all things done by virtue of this Act within the Limits of his Authority by any such Bishop or Spiritual Person shall be done in the Name of the Bishop or Archbishop so found to have become incapable, and under the Seal of such Bishop or Archbishop where a Seal is required to be used, and shall be as valid as if done by such Archbishop or Bishop; and the Receipt of the Bishop or Spiritual Person, so appointed as aforesaid, for such Sums as he shall receive by virtue of his Commission shall be good and effectual Discharges for the Monies which in such Receipts shall be acknowledged to have been received: Provided always, that it shall not be lawful for such Bishop or Spiritual Person to present, collate, nominate, or license any Clerk to any Ecclesiastical Benefice in the Gift or Patronage of the Bishop or Archbishop so found to be incapable, or to sanction the Union or Disunion of any Benefice in such

and of a Spiritual Person to assist in the Administration of the Temporalities.

Proviso.

such Gift or Patronage with or from any other Benefice, without the Approval of the Archbishop or Lord Chancellor by whom the Commission was issued, or, without the like Approval, to appoint or displace any Officer of the See or Province; and that no Lease or Deed of Conveyance, Exchange, or Enfranchisement, of any Lands or Possessions belonging to the See or Province, to be executed by any Bishop or Spiritual Person appointed as aforesaid, shall be valid unless approved and executed by the Archbishop of the Province, or, in case of the Incapacity of the Archbishop, by the Lord Chancellor of *Great Britain* or the Lord Chancellor of *Ireland*, as the Case may be, and in each Case sealed also with the Seal of the Ecclesiastical Commissioners for *England* or of the Ecclesiastical Commissioners for *Ireland*, as the Case may be.

Power to recover Revenues.

XII. And be it enacted, That the Bishop and the Spiritual Person to be appointed by virtue of this Act shall, for the Purpose of enforcing Payment of the Revenues of the See of the Bishop or Archbishop found to have become incapable, severally have all the same legal Rights, Powers, and Remedies, whether by Action, Suit, or Distress, as the Case may be, as might have been exercised by the said Bishop or Archbishop if no Commission had been issued: Provided always, that neither such Bishop or Spiritual Person shall be accountable for any Monies which may be payable to either of them by virtue of this Act which shall not have been actually received by them respectively.

Allowance to Spiritual Person appointed.

Reimbursement to the Bishop.

Remainder of Revenues how to be paid.

XIII. And be it enacted, That it shall be lawful for Her Majesty to assign to the Spiritual Person to be appointed as aforesaid a yearly Allowance, not exceeding One Sixth Part of the Revenues of the Bishoprick or Archbishoprick, such as to Her Majesty shall seem fit, which shall be defrayed out of the Revenues of the Bishoprick or Archbishoprick; and such Spiritual Person shall also, out of such Revenues, defray and reimburse to the Bishop to be appointed as aforesaid all Expences incurred by him in the Execution of this Act, such Expences being first allowed by the Archbishop or Lord Chancellor, as the Case may be; and that the Remainder of the said Revenues, after such Payments as aforesaid, and such other Payments (if any) as shall be made by the Bishop or the Spiritual Person who shall be appointed by virtue of this Act, in respect of Rates, Taxes, Tenths, Salaries, Pensions, Repairs, Insurances from Fire, and other Expences incident to the Administration of the Temporalities, or to the Exercise of the Jurisdiction of the Bishop or Archbishop so found to be incapable, shall be paid to such Bishop or Archbishop, or to such other Person or Persons as shall be by Law entitled to receive the same.

A Finding under a Writ De lunatico inquirendo to stand in the Place of a Report of the Commissioners.

XIV. And be it enacted, That if at any Time hereafter any Bishop or Archbishop shall have been found a Lunatic or of unsound Mind under any Commission in the Nature of a Writ De lunatico inquirendo, and if the Inquisition shall not have been quashed or the Commission superseded, it shall be lawful for the Archbishop of the Province or Lord Chancellor, as the Case may be, without further or other Inquiry, to make Request to Her Majesty as on the Report of Commissioners appointed under this Act; and such Request shall be to all Intents and Purposes whatsoever of the same Force and Effect as a Request made on such Report as aforesaid.

Provision in case of the Recovery or Death of the Bishop or Archbishop.

XV. Provided always, and be it enacted, That it shall be lawful for Her Majesty, with the Advice of Her Privy Council, upon a Petition from the Bishop or Archbishop so found to be incapable, a Lunatic, or of unsound Mind, setting forth that such Incapacity, Lunacy, or Unsoundness of Mind hath ceased, to cause Inquiry to be made in such Manner as to Her Majesty, with the Advice aforesaid, shall seem fit; and if upon such Inquiry it shall appear to Her Majesty that such Incapacity, Lunacy, or Unsoundness of Mind hath ceased, and that such Bishop or Archbishop hath become capable of again duly performing his Episcopal or Archiepiscopal Functions, it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of *Great Britain* or *Ireland*, as the Case may be, to supersede and annul the Letters Patent so first issued; and thenceforward, and also in case of the Death of the Bishop or Archbishop so found to be incapable, all Powers and Authorities vested in any other Bishop or Spiritual Person on behalf of such Bishop or Archbishop shall cease.

Act may be amended, &c.

XVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXIII.

An Act for granting Relief to the Islands of *Antigua*, *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*.* [22d *August* 1843.]

'WHEREAS in consideration of the heavy Losses both of public and private Property which have been caused by Earthquakes in the Islands of *Antigua*, *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*, it is expedient that Her Majesty should be empowered to make Advances of Money to the Legislatures of the said Islands for the immediate Relief of the Inhabitants thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, in like Manner as is prescribed in an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, and in another Act passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, and in another

Authorizing Issue of Exchequer Bills.

48 G. 3. c. 1.

1 & 5 W. 4. c. 15.

* *See postea*, *Cap.* 87. *Sect.* 9.

5 & 6 Vict. c. 66. Act passed in the last Session of Parliament, intituled *An Act for further regulating the Preparation and Issue of Exchequer Bills.*

Clauses in recited Acts extended to this Act.

II. And be it enacted, That all the Clauses of the said Acts shall be applied to the Exchequer Bills to be made out in pursuance of this Act as fully as if the said several Clauses had been herein particularly re-enacted.

Exchequer Bills to bear Interest.

III. And be it enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear an Interest not exceeding the Rate of Three-pence *per Centum per Diem* in respect of the whole of the Monies respectively contained therein; and the Principal Sum contained in such Exchequer Bills, and the Interest accruing thereon, shall be made payable at such Times and at such Places as shall be fixed by the said Commissioners of Her Majesty's Treasury, or any Three or more of them; nevertheless, so that all such Bills as shall be made out for the Purposes of this Act shall be made payable within Three Years from the Date thereof, and the Principal Sum contained in every such Bill, with such Interest as aforesaid, computed from the Day upon which such Interest thereon shall have been already paid until the Time appointed for the Payment of the said Bills, shall be paid off and discharged upon the Days and Times respectively appointed for the Payment thereof.

Bills when due to be current at the Exchequer, &c.

IV. And be it enacted, That all the Exchequer Bills to be issued by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, after the respective Days on which they shall become payable, shall be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* and *Ireland* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever already granted or payable or which shall hereafter be granted or payable to Her Majesty, Her Heirs and Successors, and also at the Banks of *England* or *Ireland*, to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

Exchequer Bills issued under this Act may be lent for the Service of the Islands.

V. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury to lend Exchequer Bills for any Sum or Sums not exceeding in the whole the Sum of One hundred and fifty thousand Pounds of the Exchequer Bills authorized to be issued under this Act; (that is to say,) any Sum not exceeding One hundred thousand Pounds for the Service of the Island of *Antigua*, and any Sums not exceeding in the whole Fifty thousand Pounds for the Service of the Islands of *Saint Kitts, Nevis, Dominica*, and *Montserrat*, in manner herein-after provided.

The Treasury may lend the said Sums to any Persons authorized by the Legislatures of the Islands to borrow the same.

VI. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to lend the said several Sums to such Person or Persons as shall be duly authorized by any Act or Acts passed or to be passed by the several Legislatures of the said Islands of *Antigua, Saint Kitts, Nevis, Dominica*, and *Montserrat* respectively to borrow the same, on the Credit of the Revenues or Public Property of the said Islands respectively, as soon as the said Commissioners shall be satisfied that Repayment of the several Sums so to be advanced, (with Interest thereon) at the yearly Rate of Four Pounds by the Hundred, is duly secured, to the Satisfaction of the said Commissioners, by some Act or Acts passed or to be passed by the several Legislatures of the said Islands respectively.

Certificate for delivering of Bills.

VII. And be it enacted, That the said Commissioners of Her Majesty's Treasury shall deliver to the Person or Persons to whom any of the said Exchequer Bills shall be advanced a Certificate or Certificates under the Hands of Three or more of them, specifying the Amount of the Sums to be advanced, to be respectively numbered and marked in the Course and Order in which the same shall be delivered, which Certificate or Certificates being deposited with the proper Officer or Officers shall be a sufficient Authority, without other Warrant, to such Officer or Officers to deliver such Exchequer Bills to the like Amount and Value as shall be described in such Certificate or Certificates.

The Bank of England to open and keep an Account with the Commissioners.

VIII. And be it enacted, That the Governor and Company of the Bank of *England* shall open and keep an Account in their Books with the said Commissioners under the Title of "The Commissioners of Her Majesty's Treasury on account of the *Antigua, Saint Kitts, Nevis, Dominica*, and *Montserrat* Relief Fund," and shall carry to the Credit of such Account the several Monies by this Act directed to be paid to the Cashiers of the said Bank; and whenever any of the said Commissioners shall have lent any of the said Exchequer Bills authorized to be advanced in pursuance of this Act to any Person or Persons, the said Commissioners shall, at some Time before the Time appointed for the Repayment of the Sums contained therein, deliver to such Person or Persons, at his or their Request, One or more Certificate or Certificates under the Hands of any Three or more of them, specifying the Amount of the Exchequer Bills advanced to such Person or Persons and the Amount of the Money to be received on account thereof; and the said Cashiers of the Bank or One of them shall, upon the Production of such Certificate or Certificates, receive from the Person or Persons producing the same the Amount of the Money therein mentioned to be receivable, and at the Foot of such Certificate or Certificates shall acknowledge the Receipt of the said Money, without Fee or Reward; and every Receipt so given as aforesaid shall be afterwards brought to the Office of Her Majesty's Exchequer, and shall be there entered in proper Books to be provided and kept for that Purpose by the Comptroller of the Exchequer, and the said Comptroller shall attest the same under his Hand, and return the same to the Person or Persons producing the same at the said Office; and every such Receipt so attested and every such Entry in any of the said Books shall thenceforth be a valid and effectual Acquittance and Discharge for the Sum or Sums expressed therein to have been received.

Money paid into the Bank

IX. And be it enacted, That all Sums of Money which shall be paid into the Bank of *England* under this Act shall be transferred to the Account kept by the Bank of *England* with Her Majesty's Exchequer, and

and shall be applied in the first place for paying off all the Exchequer Bills to be advanced by virtue of this Act, with such Interest as shall be payable thereon, at the respective Days and Times and in the Order and Course in which the same are directed to be discharged; and any Surplus which shall remain shall be made Part of the Consolidated Fund of *Great Britain* and *Ireland*. to be subject to the Uses herein specified.

X. And be it enacted, That the Lord High Treasurer or Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within Fourteen Days next after the Fifth Day of *January* in every Year if Parliament shall be then sitting, and if not, then within Fourteen Days next after the Beginning of the next Session of Parliament, an Account of all Sums advanced to the said several Islands under this Act, and also an Account of all Sums repaid by reason of such Advances, with the Interest paid thereon, made up for the Year ending on the said Fifth Day of *January*. Account to be laid before Parliament.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXIV.

An Act for carrying into effect an Agreement between the Commissioners of Her Majesty's Woods and the Earl of *Haddington*, for the Purchase and Surrender of the Office of Hereditary Keeper of the Royal Park of *Holyrood House*; and for other Purposes relating thereto. [22d *August* 1843.]

'WHEREAS the Queen's most Excellent Majesty, in right of Her Crown, is seised to Herself, Her Heirs and Successors, of the Palace of *Holyrood House*, adjacent to the City of *Edinburgh*, and of the Royal Park of *Holyrood House* contiguous thereto: And whereas His Majesty King *Charles* the First, by His Charter under the Great Seal of *Scotland*, bearing Date the Tenth Day of *August* in the Year of our Lord One thousand six hundred and forty-six, and of His Reign the Twenty-second Year, made and constituted Sir *James Hamilton* of *Priestfield*, Knight, and his Heirs Male, Hereditary Keepers of His said Majesty's Park of *Holyrood House*, and of all Parts and Penticles pertaining to the same, and gave to the said Sir *James Hamilton* and his aforesaids the Hereditary Office and Keepership of the said Royal Park, with all Fees, Casualties, Duties, and Privileges whatsoever to the same pertaining, with full Power to the said Sir *James Hamilton* and his foresaids of admitting and constituting Under Keepers of the said Park, One or more, at their Pleasure, and for exercising their said Office gave, granted, and assigned to the said Sir *James Hamilton* and his foresaids heritably the particular Fees and Duties belonging to the same, with Power to the said Sir *James Hamilton* and his foresaids, by themselves and others in their Names having their Warrant, of uplifting the aforesaid Fees, Casualties, and Duties whatsoever to the said Park pertaining in all Time to come, and for all Years then past and unpaid, inhibiting all His said Majesty's Subjects from directly or indirectly, under whatever Pretext of Possession, Title, or Right, interfering with the said Park or any thing pertaining thereto in all Time to come, without a Licence or Right from the said Sir *James Hamilton* and his foresaids to the same first had and obtained, as they should answer to the contrary at their highest Peril, and commanded, willed, granted, and ordained that One Sasine to be taken in future by the said Sir *James Hamilton* and his foresaids in the said Park should be a sufficient Sasine for the said Hereditary Office of Keeper of the said Park, with the Meadows and Casualties to the same pertaining, to be holden of His said Majesty and His Successors in Free Blench Farm, Fee, and Heritage for ever, by all the righteous Meiths and Marches thereof as the same lie in Length and Breadth, with free Ish and Entry, and with all and singular Liberties, Commodities, Profits, Easements, and just Pertinents whatsoever, as well named as not named, and as well under the Earth as above the Earth, far or near, to the said Office belonging or justly appertaining howsoever, in future, freely, quietly, fully, wholly, honourably, well, and peaceably, without any Impediment, Revocation, Contradiction, or Obstacle whatsoever, the said Sir *James Hamilton* and his foresaids paying for the same every Year to His said Majesty and His Successors One Penny usual Money of the Kingdom of *Scotland* at the Feast of *Pentecost* in name of Blench Farm, if asked only: And whereas the said Sir *James Hamilton* having departed this Life was succeeded in the said Heritable Office by his Son and Heir Sir *James Hamilton* of *Priestfield*, conform to Retour of his Special Service dated the Fifth Day of *January* One thousand six hundred and sixty-six, Precept from the Chancery of *Scotland* dated the Ninth Day of *November* in the said Year One thousand six hundred and sixty-six, and Instrument of Sasine following thereon, dated the Tenth and recorded in the Particular Register of Sasines kept at *Edinburgh* the Nineteenth Day of *November* in the said Year One thousand six hundred and sixty-six: And whereas the said last-mentioned Sir *James Hamilton* having resigned his said Heritable Office into the Hands of the Lords Commissioners of Treasury and Exchequer, as the Commissioners of the Crown for receiving Resignations, and granting new Infeftments thereupon, in favour and for new Infeftments thereof to be made and granted to *Thomas* Earl of *Haddington*, in the Instrument of Resignation designed as Mr. *Thomas Hamilton*, Second lawful Son and Heir of Tailzie and Provision of *Charles* then late Earl of *Haddington*, deceased, a Charter of Resignation was granted by Their Majesties King *William* and Queen *Mary*, under the Great Seal of *Scotland*, bearing Date the Twenty-third Day of *January* One thousand six hundred and ninety-one, and in the Second Year of Their Reign, to the said *Thomas* Earl of *Haddington*, and the Heirs Male of his Body, whom failing, to his other Heirs of Tailzie and Provision contained in the Rights and Infeftments of his Earldom and Estate of *Haddington*, and his Heirs and Assignees whatsoever, heritably and irredeemably, of all and whole the said

Charter of Charles I. to Sir J. Hamilton, 10th August 1646.

Death of Sir James Hamilton, and Succession of his Son and Heir.

Charter of Resignation by King William and Queen Mary to Thomas Earl of Haddington, 23d January 1691.

'said Heritable Office of Keeper of the Park of *Holyrood House*, with all Rents, Profits, Duties, 'Meadows, Fees, Casualties, Privileges, and Emoluments whatsoever to the same pertaining and belonging, 'with the Power of admitting and constituting and of out-putting Under Keepers, One or more, at their 'Pleasure, and also with full Power of levying and receiving the annual and other Rents, Profits, and 'Duties to the same pertaining, lying within the County of *Edinburgh*, on which Charter the said *Thomas* 'Earl of *Haddington* was duly infeft conform to Instrument of Sasine, dated the Twenty-sixth Day of '*September* and recorded in the said Particular Register of Sasines at *Edinburgh* the Twenty-fourth Day 'of *November* in the said Year One thousand six hundred and ninety-one: And whereas by an Act passed 'in the Sixth Year of the Reign of His Majesty King *George* the First, intituled *An Act for vesting Part 'of the Estate of* Thomas *Earl of* Haddington *in Trustees, to be sold, and with the Monies arising thereby to 'purchase other Lands of the like Value, to be settled to the same Uses*, reciting that the Right Honourable '*Charles* late Earl of *Haddington* having married the Right Honourable *Margaret* Countess of *Rothes*, 'by whom he had Issue Three Sons, *John* Lord *Lessly*, *Thomas Hamilton*, and *Charles Hamilton*, and the 'said Earl and Countess having made sufficient Provision for the said *John* Lord *Lessly*, their eldest Son, 'by the Honour and Estate of *Rothes*, the said *Charles* late Earl of *Haddington* being therefore minded 'to entail the Honour and Estate of *Haddington*, in such Manner as is therein-after mentioned, by his 'Deed of Settlement, bearing Date the First Day of *January* One thousand six hundred and eighty-four, 'granted, disponed, and conveyed the Earldom of *Haddington*, and State and Dignity thereof, and all and 'singular his Lordships, Baronies, Castles, Messuages, Lands, Tenements, and Hereditaments therein 'particularly mentioned and expressed, with their and every of their Appurtenances, to the said *Thomas* '*Hamilton*, his Second Son (then Earl of *Haddington*), and the Heirs Male of his Body, and a certain 'other Series of Heirs therein mentioned, under the several Conditions, Provisions, Restrictions, Limita- 'tions, and Qualifications in the said Deed of Settlement mentioned; and also reciting, that in pursuance 'of the said Deed of Settlement the said Earldom and Estate of *Haddington* were resigned to the Crown, 'and a Grant thereof, by Charter under the Great Seal of *Scotland*, bearing Date the Twenty-fifth Day 'of *February* One thousand six hundred and eighty-seven, was afterwards obtained, wherein all the said 'prohibitory and irritant Clauses were inserted, by virtue whereof the said *Thomas* Earl of *Haddington* 'became seised thereof according to the Tenor of the said Deed and Charter; and further reciting, that 'Part of the said Estates lay very much dispersed, and at a great Distance from *Tyningham*, the Chief 'Seat or Mansion House of the said Earldom of *Haddington*, and consisted for the greatest Part only in 'Superiorities of very small yearly Rents and Feu Duties, which occasioned much Charge and Expence 'in the Management and Collection thereof, and therefore that it would be very much for the Benefit and 'Advantage of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning*, his eldest Son and Heir 'Apparent, and their Heirs, and the said other Substitutes and Heirs of Entail and Provision, that such 'Part of the said entailed Estate as is therein-after (for that Purpose) particularly mentioned should be sold, 'and that the Money arising by such Sale should be applied and laid out in the Purchase of other Lands, 'Tenements, and Hereditaments, lying more contiguous to the said chief Seat or Mansion House, to be 'settled to the same Uses, and under the same Conditions, Provisions, Limitations, Restrictions, and 'Qualifications as the said Estate then stood settled under; it is therefore by the said Act enacted, that 'all and singular the several Messuages, Lands, Tenements, and Hereditaments therein mentioned should 'be vested and settled in and upon the Right Honourable *John* Earl of *Rothes*, Sir *John Anstruther* of '*Anstruther*, Baronet, and *John Cockburne* younger, of *Ormstown*, their Heirs and Assigns, to the Use of 'them the said *John* Earl of *Rothes*, Sir *John Anstruther*, and *John Cockburne*, and their Heirs and 'Assigns for ever, freed and absolutely discharged of and from the aforesaid Deed of Settlement and 'Charter thereupon, under all and every the Conditions, Provisions, Limitations, Restrictions, and Quali- 'fications therein contained or mentioned of or concerning the said Messuages, Lands, Tenements, Here- 'ditaments, and Premises therein particularly expressed, and every or any of them, or any Part thereof, 'upon the special Trust and Confidence, nevertheless, and to the Intent, that the said *John* Earl of *Rothes*, 'Sir *John Anstruther*, and *John Cockburne*, and the Survivors or Survivor of them, and the Heirs or 'Assigns of such Survivor, should make absolute Sale or Sales, together or in Parcels, of all and every or 'any of the said Messuages, Lands, Tenements, Hereditaments, and Premises thereby vested in the said '*John* Earl of *Rothes*, Sir *John Anstruther*, and *John Cockburne*, and their Heirs, for the most Money 'and best Price that could be reasonably had or obtained for the same, by and with the good Liking and 'Approbation of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning* his Son, or the Survivor 'of them, testified under their Hands and Seals, or the Hand and Seal of the Survivor of them, and should, 'as soon as conveniently might be after such Sale or Sales, with such good Liking and Approbation as 'aforesaid, lay out and employ and dispose of all the Monies arising by such Sale or Sales in One or more 'Purchase or Purchases of other Messuages, Lands, Tenements, and Hereditaments lying more contiguous 'to the said chief Seat or Mansion House, and settle, convey, and assure the same, when purchased, unto 'and upon the same or the like Uses, Trusts, Intents, and Purposes, and with and under the same Condi- 'tions, Provisions, Limitations, Restrictions, and Qualifications, as the said Messuages, Lands, Tenements, 'and Hereditaments therein-before particularly mentioned were in and by the said recited Deed and 'Charter settled, conveyed, and assured, or as near thereunto as might be: And whereas the said *Thomas* 'Earl of *Haddington* and *Charles* Lord *Binning*, by Disposition, dated the Twenty-eighth Day of *October* 'and Eleventh Day of *November* in the Year One thousand seven hundred and twenty-four, and registered in 'the Books of Council and Session the Twenty-sixth Day of *May* in the Year One thousand eight hundred 'and forty-three, reciting the said Act of Parliament, and also reciting that the said Sir *John Anstruther* and

'*John*

6 G. 1. c. 2. *Pr.* for selling Part of the settled Estates of the Earl of Had dington, and purchasing others.

Disposition by the Earl of Had- dington and Lord Binning of unentailed Lands sold to

'*John Cockburne*, the surviving Trustees appointed by the said Act, had, with the Consent of the said '*Thomas* Earl of *Haddington* and *Charles* Lord *Binning*, made Sales of certain Parts of the Messuages, 'Lands, Tenements, and Hereditaments specified in the said Act of Parliament, and, for the further 'Execution of the said Trust, had purchased with the Price thereof from the said *Thomas* Earl of '*Haddington*, with the special Advice and Consent of the said *Charles* Lord *Binning*, certain unentailed 'Lands and Estates belonging to the said *Thomas* Earl of *Haddington*, and, amongst other, the said Office 'of Hereditary Keeper of the said Park and Pertinents thereof, therefore the said *Thomas* Earl of '*Haddington* and *Charles* Lord *Binning* sold, alienated, and disponed the Lands of *Easter* and *Wester* '*Broomhouses* and others, and the said Office of Hereditary Keeper of the said Park, with all Rents, 'Profits, Duties, Meadows, Fees, Casualties, Privileges, and Emoluments whatsoever pertaining and 'belonging to the same, to the said Sir *John Anstruther* and *John Cockburne*, surviving Trustees under the 'said Act of Parliament, their Heirs and Assignees, to the Intent the same might be settled and secured 'by the said Trustees, or the Survivor of them, or their Heirs, and conveyed and assured unto and upon 'the Uses, Intents, and Purposes unto and upon which the Lands directed to be purchased by the said 'Trustees with the Monies arising by the Sale or Sales of such Part of the said entailed Estate of '*Haddington* as by the said Act they were empowered to sell and dispose of were appointed to be settled, 'secured, conveyed, and assured unto: And whereas the said Sir *John Anstruther* and *John Cockburne*, as 'surviving Trustees appointed by the said recited Act, by their Disposition and Deed of Entail, granted 'with the Consent of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning*, and executed 'under their respective Hands and Seals, bearing Date the Fourteenth, Sixteenth, and Twenty-seventh 'Days of *August* in the Year One thousand seven hundred and twenty-five, and registered in the Books 'of Council and Session the Twenty-sixth Day of *May* in the Year One thousand eight hundred and forty-'three, reciting the said Act of Parliament, and also reciting that they the said surviving Trustees had, 'with Consent of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning*, made Sales of certain 'Parts of the Messuages, Lands, Tenements, Hereditaments, and others specified in the said Act of Par-'liament, for the several Prices or Purchase Monies contained in the respective Rights and Dispositions 'made by them to the Purchasers thereof, and, with a Sum of Money paid by them to the said *Thomas* 'Earl of *Haddington*, being a Part of the Prices arising from the said Sales, had purchased from him, and 'the said *Charles* Lord *Binning* his Son, the Lands and others therein-after disponed, which pertained to 'them in absolute Fee and Property, and at their free Disposal, and were then sold and disponed by them 'to the said Trustees conform to the Right and Disposition to the said Trustees therein mentioned and 'last herein-before recited; and also reciting a Contract of Marriage made and entered into betwixt the 'said *Charles* Lord *Binning*, with Consent of the said *Thomas* Earl of *Haddington* his Father, and the 'said *Thomas* Earl of *Haddington* for himself, on the one Part, and *Rachel*, then Lady *Binning*, therein 'designed Mrs. *Rachel Baillie*, Second lawful Daughter to *George Baillie* of *Jerviswoode*, with Consent 'of her Father, on the other Part, of Date the Third Day of *September* One thousand seven hundred and 'seventeen, whereby the said *Thomas* Earl of *Haddington*, in contemplation of the said Marriage, bound 'and obliged him, his Heirs and Successors, to make lawful Resignation of the said Estate and Earldom 'of *Haddington* in the Hands of the Superiors thereof, in favours and for new Infeftments of the same to 'be made and granted to the said *Thomas* Earl of *Haddington* in Liferent, and to the said *Charles* Lord '*Binning* in Fee, and the Heirs Male lawfully to be procreat of the Marriage betwixt him and the said '*Rachel* Lady *Binning*, which failing, to the said *Thomas* Earl of *Haddington*, his other Heirs of Tailzie 'and Provision; therefore, to the Intent the Lands and Estates purchased by the said Trustees might be 'settled and secured by the said Trustees, or the Survivor of them, or their Heirs, and conveyed and 'assured unto and upon the Uses, Intents, and Purposes to which the Lands directed to be purchased by 'the said Trustees with the Monies arising by the Sale or Sales of such Part of the said entailed Estate 'of *Haddington* as by the said Act of Parliament they were empowered to dispose of were appointed to 'be settled, conveyed, and assured, the said Sir *John Anstruther* and *John Cockburne*, surviving Trustees 'aforesaid, settled, conveyed, transferred, and disponed, for them, their Heirs and Assigns, to and in 'favour of the said *Thomas* Earl of *Haddington* in Liferent, and the said *Charles* Lord *Binning* in Fee, 'and the Heirs Male lawfully procreate or to be procreate of his Body, which failing, to the Second, Third, 'or any other immediate younger Son successive lawfully procreate or to be procreate of the Body of the 'said *Thomas* Earl of *Haddington*, and the Heirs Male of their Bodies, which failing, to the Heirs Male of 'the Body of the said deceased *John* Earl of *Rothes*, which failing, to the eldest Daughter or Heir Female 'lawfully procreated or to be procreated of the Body of the said *Thomas* Earl of *Haddington*, successive 'without Division, which failing, to the eldest Daughter or Heir Female of the Body of the deceased *John* 'Earl of *Rothes*, successive without Division, which failing, to the Heirs Male of the Body of the deceased 'Lady *Margaret Hamilton*, who was the eldest Sister to the said deceased *Charles* Earl of *Haddington*, 'which failing, to the eldest Daughter or Heir Female of the Body of the said deceased Lady *Margaret* '*Hamilton*, successive without Division, which failing, to the Heirs Male of the deceased Lady *Helen* '*Hamilton*, who was Second Sister to the said deceased *Charles* Earl of *Haddington*, which failing, to the 'eldest Daughter and Heir Female of the Body of the said deceased Lady *Ellen Hamilton*, successive without 'Division, which failing, to the Heirs Male of the Body of the deceased Lady *Susanna Hamilton*, who 'was Third Sister to the said deceased *Charles* Earl of *Haddington*, which failing, to the eldest Daughter 'and Heir Female of the Body of the said deceased Lady *Susannah Hamilton*, successive without Division, 'which failing, to the Heirs Male of the Body of the deceased Lady *Margaret Hamilton*, thereafter Countess of *Kintore*, who was Aunt to the said deceased *Charles* Earl of *Haddington*, which failing, to the eldest

Sir John Anstruther and John Cockburne, 28th October and 11th November 1724.

Disposition and Deed of Entail by Sir John Anstruther and John Cockburne, Esquire, 14th, 16th, and 27th August 1725.

'Daughter

'Daughter and Heir Female of the Body of the said Lady *Margaret Hamilton*, successive without Division, 'which all failing, to the nearest Heirs and Assignees whatsoever of the deceased *Charles* Earl of *Hadding-* 'ton, the Lands of *Easter* and *Wester Broomhouses*, with Houses, Biggings, and Pertinents of the same, 'and the other Lands and Estates therein mentioned and described, and, amongst others, all and haill the 'Office and Custody of the Park of *Holyrood House*, with all Rents, Profits, Duties, Meadows, Fees, 'Casualties, Privileges, and Emoluments whatsoever pertaining and belonging to the same, with Power of 'admitting and constituting and also of out-putting Under Keepers, One or more, in the said Park, and 'also with full Power of uplifting and receiving the yearly and termly Rents, Profits, and Duties belonging 'to the same, in all Time coming, lying within the Sheriffdom of *Edinburgh*, but always with and under 'the whole Conditions, Provisions, Limitations, Qualifications, and Irritances therein expressed, forming or 'purporting to form a Settlement of strict Entail according to the Law of *Scotland*, in virtue of which 'Disposition and Deed of Entail by the said Sir *John Anstruther* and *John Cockburne* the said *Thomas* 'Lord *Haddington* and *Charles* Lord *Binning* resigned the aforesaid Lands of *Easter Broomhouses* and 'others, and the said Office of Hereditary Keeper of the said Park, and thereupon obtained a Charter of 'Resignation in their Favour, in Terms of the foresaid Disposition and Deed of Entail, which Charter is 'dated the Twenty-sixth Day of *July* and sealed the Ninth Day of *September* in the Year One thousand 'seven hundred and twenty-eight, and the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning* 'were infeft for their respective Interests of Liferent and Fee, conform to Instrument of Sasine in their 'Favour dated the Seventh and Ninth and registered in the General Register of Sasines the Fifteenth

Title to entailed Property by Thomas Lord Binning, as Heir of Charles Lord Binning his Father.

'Day of *October* in the Year One thousand seven hundred and twenty-nine: And whereas the said *Charles* 'Lord *Binning*, Fiar foresaid, having departed this Life on the Thirteenth Day of *January* One thousand 'seven hundred and thirty-three, he was succeeded as Heir of Tailzie and Provision in the Fee of the 'said Lands and Heritable Office, by *Thomas* Lord *Binning* his Son, conform to Retour of his special 'Service dated the Eighth Day of *April* in the Year One thousand seven hundred and thirty-five, Precept 'from Chancery aforesaid dated the Twenty-third Day of the same Month of *April*, and Instrument of 'Sasine following thereon, dated the Twenty-sixth Day of *April* and registered in the said General 'Register of Sasines the Thirtieth Day of *May* in the Year One thousand seven hundred and thirty-five:

Title to entailed Property by Charles Earl of Haddington, as Heir to the said Thomas Lord Binning afterward Earl of Haddington.

'And whereas the said *Thomas* Lord *Binning*, on the Death of the said *Thomas* Earl of *Haddington* his 'Grandfather, and Liferenter foresaid, on the Twenty-eighth Day of *November* One thousand seven 'hundred and thirty-five, became Earl of *Haddington*, and, having departed this Life, he was succeeded 'as Heir foresaid in the said Lands and Heritable Office by his Son *Charles* Earl of *Haddington*, conform 'to the Retour of his special Service dated the Twenty-first Day of *December* in the Year One thousand 'seven hundred and ninety-five, Precept from Chancery aforesaid dated the Twenty-ninth Day of '*December* in the Year One thousand seven hundred and ninety-five, and Instrument of Sasine following 'thereon dated the Fourth and registered in the Particular Register of Sasines at *Edinburgh* the Twenty-

Title to entailed Property by Thomas now Earl of Haddington as Heir to Charles Earl of Haddington.

'ninth Day of *January* in the Year One thousand seven hundred and ninety-six: And whereas the said '*Charles* Earl of *Haddington* having also departed this Life, he was succeeded as Heir foresaid in the 'said Lands and Heritable Office by his Son *Thomas* now Earl of *Haddington*, who stands infeft and 'seised therein, under the whole Limitations and Conditions contained in the said Disposition and Deed 'of Entail executed as aforesaid by the said Sir *John Anstruther* and *John Cockburne*, with the Advice 'and Consent of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning*, conform to the Retour 'of his special Service as Heir of Tailzie and Provision to his said Father, dated the Twenty-fifth Day 'of *April* in the Year One thousand eight hundred and twenty-eight, Precept from Chancery aforesaid 'dated the Second Day of *May* in the Year One thousand eight hundred and twenty-eight, and Instrument 'of Sasine following thereon dated the Third and registered in the General Register of Sasines the Sixth

Contract and Submission, 1843.

'Day of *May* in the Year One thousand eight hundred and twenty-eight: And whereas by a Contract and 'Submission to Arbitration, bearing Date the Eighth Day of *April* One thousand eight hundred and 'forty-three, made between the Right Honourable *Henry Pelham Clinton* (commonly called the Earl of '*Lincoln*), *Alexander Milne* Esquire, and the Honourable *Charles Alexander Gore*, therein described as 'the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for and 'on behalf of the Queen's most Excellent Majesty on the one Part, and the said *Thomas* Earl of *Had-* 'dington on the other Part, reciting, that under or by virtue of the said Charters, bearing Date on or 'about the Tenth Day of *August* in the Year One thousand six hundred and forty-six, and the Twenty-'third Day of *January* in the Year One thousand six hundred and ninety-one, and by divers subsequent 'Assurances and Acts in the Law, the Office of Hereditary Keeper of the Park of *Holyrood House*, 'commonly called the *King's Park*, near *Edinburgh*, and the whole Profits, Claims of Property, and 'other Rights thereunto legally annexed or appertaining, were then vested in the said Earl, but under and 'subject to the Fetters of an Entail; and also reciting, that it had been deemed expedient for the Public 'Service that the said Office, and the whole Profits, Claims of Property, and other Rights thereunto 'annexed, whether derived directly from Charters from the Crown in favour of the said Earl, his 'Authors or Predecessors, or from Usage or Possession following on such Charters, or otherwise howso-'ever, and all other the Estate, Right, Title, and Interest of the said Earl (if any) connected therewith, 'should be surrendered to and legally and effectually vested in Her Majesty, Her Heirs and Successors, 'for ever; and reciting, that the said Commissioners, on behalf aforesaid, by and with the Consent of the 'Lords Commissioners of Her Majesty's Treasury, had agreed with the said Earl for the absolute 'Purchase of the said Office, Interests, Rights, and Properties aforesaid (subject as therein-after 'mentioned); and reciting, that certain Overtures and Correspondence had passed between the said

'Commissioners

'Commissioners and the said Earl, and their respective Agents, with the view of fixing and ascertaining the Sum to be paid by the said Commissioners, on behalf of Her Majesty, for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the absolute Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties as aforesaid to Her Majesty, Her Heirs and Successors, and which proceeded on the Basis of certain Rentals of the said Park and Subjects, but that the said Parties thereto had been unable to agree about the said Sum, and that the said Commissioners and the said Earl, being desirous to have the Sum to be paid by the said Commissioners for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the absolute Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties, definitively fixed and ascertained by proper and competent Judges, had resolved and agreed to submit and refer the same in manner therein-after mentioned; and reciting, that the said Office, Interests, Rights, and Properties being held by the said Earl under the Fetters of an Entail it was not competent for him to sell the said Office, Interests, Rights, and Properties, nor after such Valuation should have been made in the Manner therein-after mentioned could a good and valid Conveyance, Disposition, and Surrender of the said Office, Interests, Rights, and Properties be made and granted to Her Majesty, Her Heirs and Successors, without the Authority of Parliament; it was thereby agreed, that the said Commissioners should, on behalf of Her Majesty, and within a reasonable Time, and without undue Delay, after the Date and Execution of the said Contract, apply for an Act of Parliament empowering the said Commissioners, on behalf of Her Majesty, to purchase, and the said Earl, on behalf of himself and all other Parties who were, could, should, or might be interested, to dispose of the said Office, Interests, Rights, and Properties aforesaid to Her Majesty, Her Heirs and Successors, and to grant or make to Her Majesty, Her Heirs and Successors, a good and valid Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties; and it was also agreed by the said Earl, so far as he was enabled so to do, that he should, upon being so empowered, sell, alienate, and dispose of the said Office, Interests, Rights, and Properties aforesaid to the said Commissioners, on behalf of Her Majesty, or as they should direct and appoint, at and for the Price or Sum to be fixed in manner therein-after mentioned, and that the said Commissioners should, on the Execution of a good, valid, and effectual Disposition or Surrender by the said Earl of the said Office, Interests, Rights, and Properties to Her Majesty, Her Heirs and Successors, make Payment of the Price or Sum to be fixed in manner therein-after mentioned in the Way and Manner to be specified in the Act of Parliament therein-before referred to; and in order that the said Sum to be paid by the said Commissioners, on behalf of Her Majesty, for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties, might be ascertained, the said Commissioners, on behalf of Her Majesty, and the said Earl, on behalf of himself and all other Persons interested, had agreed to submit and refer and thereby submitted and referred to the amicable Decision, final Sentence, and Decreet Arbitral (subject, nevertheless, to the same being ratified and confirmed in and by the Act of Parliament therein-before referred to,) to be pronounced by *David Low* Esquire, Professor of Agriculture in the University of *Edinburgh*, and *Thomas Oliver* Esquire, residing at *Lochend*, near *Edinburgh*, Arbiters mutually chosen by the said Parties thereto, or, in case of Difference of Opinion between the said Arbiters, then to any Oversman, without Restriction as to the Class or Profession from which such Oversman might be selected, to be named by them after Acceptance, but before proceeding in the Matter of the said Submission, to fix and ascertain the Sum to be paid by the said Commissioners on behalf of Her Majesty, for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties, and the Term of Entry from which the same were to be vested in Her Majesty, Her Heirs and Successors, under the Terms and Conditions therein-after mentioned; (that is to say,) Primo, that there should be produced to the said Arbiters or Oversman the Overtures, Correspondence, Rentals, and other Documents particularly mentioned in an Inventory thereof, signed by the Parties as relative thereto, including a Proposal or Offer of the yearly Sum of Four hundred and eighty Pounds Sterling, stated by the said Earl to have been made for a Lease of the Grazings of *Arthur's Seat*, with the Washing Green and Washing House, for a Term of Nineteen Years from *Candlemas* One thousand eight hundred and forty-two, dated the Twenty-fourth Day of *July* One thousand eight hundred and forty-one, by *James Scott*, and in respect the said Earl had been unable to recover the principal or original Proposal or Offer by the said *James Scott*, which had then fallen aside, it had been agreed between the Parties that there should in lieu and stead thereof be laid before the said Arbiters or Oversman, along with the said other Documents, a Letter by the said *James Scott* to *Matthew Buist*, Factor for the said Earl, dated the Fifteenth *March* One thousand eight hundred and forty-three, with Copy of the said Proposal or Offer prefixed, which Letter, with Copy of the said Proposal or Offer prefixed, should be held equivalentt o the Production of the principal or original Proposal or Offer, and that these several Documents should form the Basis upon which the said Arbiters or Oversman should proceed in fixing the Sum to be paid by the said Commissioners, on behalf of Her Majesty, for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the Conveyance, Disposition, or Surrender of the said Office, Rights, Interests, and Properties as aforesaid; Secundo, that the Sum to be paid by the said Commissioners, on behalf of Her Majesty, for the said Office, Profits, Claims of Property, and other Rights as aforesaid, and in consideration of the Conveyance, Disposition, or Surrender of the said Office, Interests, Rights, and Properties, to be fixed by the said Arbiters or Oversman, should not, so far as regards the Subjects to which the said Overtures and Correspondence were applicable, exceed the Sum of Thirty-two thousand Pounds,

'or be less than the Sum of Twenty-three thousand five hundred Pounds, but that the said Arbiters or 'Oversman should be at liberty to consider the said Proposal for a Lease stated to have been made by '*James Scott*, under the Date of the Twenty-fourth *July* One thousand eight hundred and forty-one 'aforesaid, and any Objection that might be made thereto, and give to the same whatever Effect they 'might deem such Proposal entitled to, separate and apart from the said maximum and minimum Prices 'of Thirty-two thousand Pounds and Twenty-three thousand five hundred Pounds respectively; Tertio, 'that the Sum to be paid as aforesaid, to be fixed by the said Arbiters or Oversman, should be in full 'Payment and Compensation of and for the said Office of Hereditary Keeper of the said Park, and the 'whole Profits, Claims of Property, and other Rights thereto legally annexed, whether derived directly 'from Charter from the Crown in favour of the said Earl or his Predecessors or Authors, or from 'Usage or Possession following on such Charter, or otherwise howsoever, together with all Property 'belonging to the said Earl lying contiguous to or in the Vicinity of the said Park, by whatever Title 'he held the same; Quarto, that, notwithstanding that the several Documents therein-before enumerated 'were to form the Basis upon which the said Arbiters or Oversman should proceed in fixing the Sum 'to be paid by the said Commissioners, on behalf of Her Majesty, for the said Office, Profits, Claims of 'Property, and other Rights as aforesaid, and in consideration of the Conveyance, Disposition, or 'Surrender of the said Office, Interests, Rights, and Properties, they should nevertheless have full Power 'to take any other Means of obtaining such Information they might deem it necessary for them to 'possess to enable them fairly and satisfactorily to fix the said Price, and with that View to order Pro- 'duction by the Parties of or otherwise to procure such Evidence, written or parole, as they might 'deem necessary; and in respect that certain Questions might arise in course of the Proceedings under 'the now reciting Submission, as to the legal Rights of the Crown and the said Earl respectively in 'regard to the said Office of Hereditary Keeper, which might require to be determined and might fall 'to be decided before the Value of the said Earl's Interests in the said Park could be satisfactorily 'ascertained, the said Arbiters or Oversman should have full Power to take the Opinions of eminent 'Counsel for their Guidance in deciding in all such Questions, and generally with Power to them to take 'all manner of Probation and all other Steps that might appear to them to be necessary for determining 'the Matter thereby submitted, and to hear Parties thereon, if they thought proper; Quinto, that the 'said Arbiters should be bound to pronounce their Decreet Arbitral within Two Months after the last 'Date of the said Contract and Submission, if they agreed in opinion, and in the event of their differing 'in opinion, and referring the Matter submitted to an Oversman, as therein-before provided for, such 'Oversman should be bound to pronounce his Decreet Arbitral within One Month from the Date such 'Reference should be devolved on and accepted by him; and it was thereby further agreed, that the 'Expences of the said Reference should be defrayed by the said Commissioners and the said Earl 'mutually, including the Arbiters, Oversman's, and Clerk's Fees, and all other general and necessary 'Expences to be incurred by the Arbiters or Oversman, each Party being bound to defray the Expences 'to be incurred to their own Agents or others employed by them in conducting the Submission, and 'also that the Expences of applying for, bringing in, and procuring to be passed the Act of Parliament 'therein-before referred to, for confirming the Agreement thereby made and entered into, and for 'enabling the said Earl to alienate, dispone, and grant Conveyance of the Office, Interests, Rights, and 'Properties aforesaid, in manner aforesaid, should be wholly borne by the said Commissioners, on behalf 'of Her Majesty; Sexto, and it was thereby agreed, that all Claims competent to Her Majesty, Her 'Heirs or Successors, or to the said Earl, or the said Commissioners, on behalf of Her Majesty, against 'the *Edinburgh and Dalkeith* Railway Company, should be reserved entire to the Parties respectively, 'and should subsist in full Force and Effect, notwithstanding that Submission or any Decreet Arbitral 'to be pronounced under the same, or Deed of Conveyance to be granted by the said Earl in implement 'thereof; lastly, it was also thereby agreed, that if the said Act of Parliament should not be applied for, 'procured, and passed, at the Instance and at the Expence of the said Commissioners, for the Purposes 'aforesaid, within Two Years from the last Date of the said Contract and Submission, or if the said 'Earl should depart this Life before the passing of the said Act of Parliament, then and in either of 'those Cases the said Contract and Submission, and every thing therein contained, should be utterly 'void and of no Effect whatever; and nothing therein contained, or which was or might be contained 'in any of the Overtures, Correspondence, Rentals, Papers, Writings, or other Documents therein 'referred to, or which was contained in any other Overtures, Correspondence, Papers, Writings, or other 'Documents which might have passed between the said Commissioners or their Agents and the said 'Earl or his Agents, or any of them, in anywise relating to the Purchase and Sale of the said Office of 'Hereditary Keeper, should be deemed, taken, or construed to impeach, lessen, prejudice, or derogate 'from the lawful Rights, Titles, and Interests of Her Majesty, Her Heirs or Successors, in or to the said 'Park, or the lawful Rights, Titles, or Interests of the said Earl as such Hereditary Keeper as aforesaid,

Award thereon, 29th June 1843.

'or other the Hereditary Keeper of the said Park for the Time being: And whereas by a Decreet 'Arbitral or Award, bearing Date the Twenty-ninth Day of *June* One thousand eight hundred and 'forty-three, made and given forth by *Richard Trotter* Esquire, of *Morton Hall*, the Oversman chosen by 'the said Arbiters, reciting the said Contract and Submission; and also reciting that the said Arbiters 'having accepted of the said Submission, by a Minute endorsed on the said Submission, bearing Date 'the Seventeenth Day of *April* One thousand eight hundred and forty-three, whereby they also, before 'proceeding in the Matter of the said Submission, appointed the said *Richard Trotter* to be Oversman, 'and that he accepted of such Office, by a Letter dated the Twentieth Day of the said Month of *April*;

'and

'and also reciting, that, after certain Proceedings had in the Matter of the said Submission, the said 'Arbiters having differed in opinion with regard to certain of the Points therein involved, they, by 'Minute dated the Second Day of *June* One thousand eight hundred and forty-three, devolved the 'Submission upon the said *Richard Trotter*, as the Oversman previously nominated in case of such 'Difference; and he the said Oversman having accepted of the said Submission so devolved upon him, 'and having considered the several Overtures, Correspondence, Rentals, and Offer for a Lease by the said '*James Scott*, and whole other Documents which it was declared by the said Contract and Submission 'should form the Basis upon which the said Arbiters or the said Oversman should proceed in fixing the 'Sum to be paid by the said Commissioners to the said Earl, together with the Claim and Answers, 'Opinion of Counsel, and whole other Writings and Documents produced, and having examined the 'Grounds, and heard Counsel for the Parties, in presence of their Agents respectively, and being well 'and ripely advised in the whole Matter, and having God and a good Conscience before his Eyes, the 'said Oversman did pronounce and give forth his final Sentence and Decree Arbitral, as follows; *videlicet*, 'he did thereby fix and ascertain the Sum to be paid by the said Commissioners, on behalf of Her 'Majesty, to the foresaid *Thomas* Earl of *Haddington*, for the said Office of Hereditary Keeper of the 'Park of *Holyrood House*, and the whole Profits, Claims of Property, and other Rights thereunto 'annexed or appertaining, whether derived directly from Charters from the Crown in favour of the said 'Earl, his Authors or Predecessors, or from Usage or Possession following on such Charters, or other-'wise howsoever, and all other the Estate, Right, Title, and Interest of the said Earl connected there-'with, and in consideration of the Conveyance, Disposition, or Surrender of the said Office, Interests, 'Rights, and Properties, at the Sum of Thirty thousand six hundred and seventy-four Pounds One 'Shilling and Eight-pence Sterling, and he thereby fixed and ascertained the Term of Entry from 'which the said Office, Interests, Rights, and Properties should be vested in Her Majesty, Her Heirs and 'Successors, to be the first Term of *Candlemas* that should happen subsequent to the passing of the 'Act of Parliament for ratifying and confirming the Sale and Surrender of the said Office, Rights, 'and Properties, which it was agreed should be applied for in Terms of the said Contract and Submis-'sion, reserving thereby entire to the Parties respectively, in Terms of the said Deed, all Claim compe-'tent to Her Majesty, Her Heirs or Successors, or to the said Earl, or to the said Commissioners, on 'behalf of Her Majesty, against the *Edinburgh and Dalkeith* Railway Company, which should subsist 'in full Force and Effect, notwithstanding the said Submission and Decreet Arbitral: And whereas it 'is expedient that the said recited Contract and Submission, and the said Decreet Arbitral or Award 'following thereon, should be carried into effect in manner herein-after mentioned:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said herein-before recited Contract and Submission, bearing Date the said Eighth Day of *April* One thousand eight hundred and forty-three, made between the said Right Honourable *Henry Pelham Clinton* (commonly called the Earl of *Lincoln*), *Alexander Milne*, and *Charles Alexander Gore*, the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for and on behalf of Her Majesty, on the one Part, and the said *Thomas* Earl of *Haddington* on the other Part, and the said herein before recited Decreet Arbitral or Award of the said *Richard Trotter* following thereupon, dated the said Twenty-ninth Day of *June* One thousand eight hundred and forty-three, shall be and the same are hereby ratified and confirmed, and made valid and effectual to all Intents and Purposes whatsoever, and the same shall be carried into effect in manner herein-after mentioned.

The Contract or Agreement, and Award following thereon, confirmed.

II. And be it enacted, That the said *Thomas* Earl of *Haddington* shall not, by reason of his having entered into the said Contract and Submission, or implemented the said Decreet Arbitral, or of his having given his Consent and Approbation to the present Act, or of his having granted or executed, or hereafter granting or executing, any Deed, or having done or hereafter doing any Act in order to the Surrender of the said Office of Hereditary Keeper of the Park of *Holyrood House*, or which may be requisite for carrying the same, or the Provisions of this Act, into full and complete Operation and Effect, be deemed or taken to have incurred any Irritancy or Forfeiture under any Entail by which he holds the foresaid Office of Hereditary Keeper of the Park of *Holyrood House*, or others of his Estates, nor shall any future Heir of Entail entitled for the Time being to the said entailed Estates be deemed or taken to have incurred any Irritancy or Forfeiture by reason of his hereafter granting or executing any Deed or doing any Act for carrying the Provisions of this Act into execution.

The Earl of Haddington not to incur any Irritancy.

III. And be it enacted, That the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for and on behalf of Her Majesty, do and shall pay or cause to be paid, out of the Produce of the Land Revenues of the Crown under their Care and Management, on or before the Term of *Candlemas* One thousand eight hundred and forty-four, the said Sum of Thirty thousand six hundred and seventy-four Pounds One Shilling and Eight-pence, into the Bank of *Scotland*, to an Account to be raised in the Books of the said Bank in the Names of *George William Hope* of *Luffness* in the County of *Haddington*, Esquire, and *Charles Baillie* of the City of *Edinburgh*, Advocate, or the Survivor of them, or the Heirs Male of such Survivor, as Trustees or Trustee, for re-investing the said Monies, and carrying into effect the other Purposes herein-after mentioned.

Money to be paid into the Bank of Scotland in Name of Trustees.

IV. And be it enacted, That the Receipt of the Treasurer or other proper Officer of the said Bank of *Scotland* shall be a good and sufficient Discharge to Her Majesty, Her Heirs and Successors, and to the said Commissioners, for the said Sum of Thirty thousand six hundred and seventy-four Pounds One

Receipt of the Bank to be a sufficient Discharge to the Commissioners.

One Shilling and Eight-pence so to be paid by them as aforesaid; and neither Her Majesty, Her Heirs or Successors, nor the said Commissioners, shall be in any way liable for or concerned with the Application, Misapplication, or Nonapplication of the Money so to be paid by them as aforesaid, or any Part thereof.

The Park, &c. thereupon to be vested in Her Majesty, freed from all the Rights and Interests of the Earl of Haddington and his Heirs of Entail.

V. And be it enacted, That immediately from and after the said Term of *Candlemas* One thousand eight hundred and forty-four, and such Payment being made into the said Bank of *Scotland* as aforesaid, the said Park of *Holyrood House* and other Premises comprised in the said Contract shall be and the same are, by force and virtue of this Act, absolutely freed and discharged of and from the said Office of Hereditary Keeper of the Park of *Holyrood House* and Custody of the same, and of all Rents, Profits, Duties, Meadows, Fees, Casualties, Privileges, and Emoluments whatsoever pertaining and belonging to the same, and of and from the Power of admitting and constituting and also of out-putting Under Keepers, One or more, in the said Park, and also all Power of uplifting and receiving the yearly and termly Rents and Profits and Duties belonging to the same in Time coming, and of and from all other Rights, Privileges, Duties, and Emoluments whatsoever specified and contained or mentioned or referred to in the said Charter of King *Charles* the First, bearing Date the Tenth Day of *August* One thousand six hundred and forty-six, and in the said Charter of King *William* and Queen *Mary*, bearing Date the Twenty-third Day of *January* One thousand six hundred and ninety-one, or in any other Charter or Charters, Deed or Deeds, Instrument or Instruments, or from Usage or Possession following on such Charters or either of them, or in any other Way or on any other Account whatsoever, and of and from all other the Estate, Right, Title, and Interest, Claim of Right, Property, and Possession, both petitory and possessory, which he the said *Thomas* Earl of *Haddington*, and his Predecessors and Authors, or Heirs and Successors, had, have, or anywise may or might or could have, claim, or pretend to the said Office of Hereditary Keeper of the said Park of *Holyrood House*, and all Property and Rights annexed or appertaining thereto, or in any Manner in relation to the same, and also freed and absolutely exonerated and for ever discharged of and from all and every the Rights and Right of Property and other Rights competent to the said Earl of *Haddington* and the said Heirs of Entail under the said Disposition and Deed of Entail granted by the said Sir *John Anstruther* and *John Cockburne*, or the Investitures following thereupon, under the Reservations, Conditions, Provisions, Restrictions, and Limitations therein contained, and of and from all Incumbrances, Burdens, or Claims, of whatever Nature or Kind soever, anywise affecting the said Office, Profits, Rights, and others the Premises aforesaid, or with which the same were chargeable, or otherwise howsoever; but saving and reserving always entire, in Terms of the said Award, to Her Majesty, all Claims competent to Her, Her Heirs or Successors, or to the said Commissioners on Her Behalf, and also to the said Earl of *Haddington*, against the *Edinburgh and Dalkeith* Railway Company, which shall subsist and remain in full Force and Effect as if this Act had not been passed.

Powers of other Acts to extend to Holyrood Park, subject to a Power to lease not exceeding One Tenth Part thereof.

VI. And be it enacted, That the said Royal Park of *Holyrood House* shall be deemed and taken to be Part and Parcel of the Hereditary Possessions and Land Revenues of Her Majesty, Her Heirs and Successors, in right of Her Crown, and all Laws, Provisions, and Regulations now in force for retaining the Sale or Demise of Her Majesty's Parks shall extend and apply to the Royal Park of *Holyrood House*: Provided nevertheless, that it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in such Manner as by Law is directed with regard to the Hereditary Revenues of the Crown (not being Royal Parks), to demise or lease any Part of the said Park, not exceeding in the whole One Tenth Part of the present Extent thereof, for the Purpose of the same being used as Sites for Dwelling Houses, public or ornamental Buildings, and the Offices and Gardens thereto to be annexed; and all the Powers, Provisions, Regulations, and Directions with regard to Leases to be granted by the said Commissioners of the Hereditary Revenues of the Crown under their Management shall extend and apply to such Part or Parts of the said Park so authorized to be leased as aforesaid: Provided also, that the said Office of Keeper of *Holyrood House* Park shall not hereafter be revived or granted to any Person or Persons for any Period or Purpose whatsoever.

Sums to be applied in the Purchase of Lands, to be conveyed to Heirs under Entail of 1725.

VII. And be it enacted, That the said *George William Hope* and *Charles Baillie*, as Trustees aforesaid, and their foresaids, may and shall, as Occasion may from Time to Time arise, with all convenient Speed, and with the Approbation of the Court of Session in either Division thereof, and under their Direction, and by and with the Consent of the said *Thomas* Earl of *Haddington*, or of the Heir of Entail for the Time being in Possession of the said entailed Estates, or the Tutors or Curators or other legal Guardians of such Heir, if under Age, or any other legal Disability or Incapacity, after Payment of all Expences incurred in the Matter of the said Trust, which they are hereby authorized to satisfy and pay in the first place, lay out, invest, and apply the said Sum of Thirty thousand six hundred and seventy-four Pounds One Shilling and Eight-pence so to be paid into the said Bank of *Scotland* as aforesaid, into the Account herein provided to be raised in the Books of the said Bank in the Names of the said Trustees as aforesaid, exclusive of Interest and all Accumulations thereof, in the Purchase of other Lands, Baronies, or Heritages in Fee Simple, and free from Incumbrances, in the County of *Haddington* or of *Berwick*, or as near thereto in *Scotland* as the same can conveniently be purchased or procured; and the Lands, Baronies, and Heritages so to be purchased as aforesaid shall be from Time to Time conveyed and disponed by the Seller thereof, or by the same purchasing Trustees or Trustee, and by the Directions of the Court of Session in either Division thereof, to the same Series of Heirs of Entail, and under the same Conditions Provisions, Declarations, Reservations, Burdens, Faculties, Restrictions, and Clauses prohibitory, irritant, and resolutive, as in and by the before-recited Disposition and Deed of Entail executed by the said Sir *John Anstruther* and *John Cockburne*, with the Consent of the said *Thomas* Earl of *Haddington* and *Charles*

Charles Lord *Binning* his Son, bearing Date the Fourteenth, Sixteenth, and Twenty-seventh Days of *August* in the Year One thousand seven hundred and twenty-five, registered in the Books of Council and Session the Twenty-sixth Day of *May* in the Year One thousand eight hundred and forty-three, are detailed and expressed of and concerning the Lands and Heritages therein contained, or such of them as shall be then existing undetermined and capable of taking effect, and not otherwise, and the Disposition so to be executed shall be so framed as to bind the Institute as well as every other Person succeeding as an Heir of Entail: Provided always, that the Lands and Heritages so to be purchased and disponed as aforesaid, and the said Capital Sum, until the same shall be laid out in such Purchase, shall be subject to and charged and chargeable with all Incumbrances, Burdens, or Claims whatsoever affecting the said Office, Profits, Rights, and others the Premises aforesaid, or with which the same was chargeable, the said Lands and Heritages and the said Capital Sum being to be deemed and taken in all respects and for all Purposes as a Surrogatum for the said Office, Profits, Rights, and Premises.

Till Purchase, Interest to be paid to Earl of Haddington, or the Heir of Entail for the Time.

VIII. And be it enacted, That till such Purchases shall be made as aforesaid the Interest accruing on the said Capital Sum by reason of its Deposit in such Bank as aforesaid shall be paid to the said *Thomas* Earl of *Haddington*, or to the Heir of Entail or Person who for the Time being would have been entitled to the said Office, and the Rents, Profits, and Emoluments thereof, if this Act had not been made.

Surplus not exceeding 200*l.* to be paid to the Earl or Person who would have been entitled to Custody of the Park.

IX. And be it enacted, That if any Surplus, not exceeding Two hundred Pounds, shall remain at the Credit of the Account authorized by the Provisions of this Act to be raised in the Books of the said Bank in manner aforesaid, after satisfying and discharging the several Purposes herein-before mentioned, such Surplus shall be paid to the said Earl or other Person or Persons who would have been entitled to the Office of Hereditary Keeper of the said Park of *Holyrood House* for the Time being if the same had not been surrendered to Her Majesty, Her Heirs and Successors, or to the Heirs and Executors of the said Earl or of such other Person or Persons respectively.

Trustees to be discharged.

X. And be it enacted, That after having carried the Purposes of this Act into effect, so far as the same are committed to the said Trustees, it shall be lawful to such Trustees and their foresaids, if he or they shall think it necessary for his or their own Relief, to apply to the said Court of Session in either Division thereof, for a Discharge or Exoneration of their Proceedings, upon a Petition to be presented to the said Court in either Division thereof in a summary Way; and the said Court in either Division thereof is hereby required to order Production of the Accounts of the said Trustees, and after Consideration thereof, and if the same shall be found to be correct, to exonerate and discharge the said Trustees of his or their Intromissions, and to declare him and them quit and discharged thereof for ever.

Appointment of new Trustees.

XI. And be it enacted, That if the said *George William Hope* and *Charles Baillie*, or either of them, shall die, or be desirous to be discharged from or shall become incapable to act in the Trusts, Powers, and Authorities hereby in them vested, at any Time before the said Trusts, Powers, and Authorities shall have been fully performed and executed, then and in any of these Cases, when and so often as the same shall happen, it shall and may be lawful for the said Court of Session in either Division thereof, upon the Application either of the surviving Trustee or of the said *Thomas* Earl of *Haddington* or the Heir of Entail for the Time being in Possession of the said entailed Estates, or the Tutors or Curators or other legal Guardians of such Heir, if under Age or under any other legal Incapacity, to appoint any other fit Person or Persons to be a Trustee or Trustees for the Purposes aforesaid in the Place and Stead of such Trustee and Trustees as shall die, or be desirous to be discharged from or shall become incapable to act in the Execution of the Trusts, Powers, and Authorities by this Act given, and so from Time to Time as often as there shall be Occasion; and so often as any new Trustee or Trustees shall be appointed as aforesaid the Sums of Money paid to the Account of and vested in the said Trustees as aforesaid, and hereby vested in the said *George William Hope* and *Charles Baillie*, shall thereupon become legally and effectually vested in such new Trustee or Trustees, and the Survivor and Survivors of them, and the Heirs of such Survivor, upon the Trusts, and to and for the same Uses, Intents, and Purposes, and with, under, and subject to all the Powers and Authorities by this Act given and declared.

Majority of Trustees to be a Quorum.

XII. And be it enacted, That the major Part of the Trustees acting in the Business and Affairs of the said Trust for the Time, while more than Two survive or continue, shall be a legal and sufficient Quorum for carrying all the Purposes of this Act into execution, and any One of them who only shall survive or continue shall at all Times have full Power to act by himself alone.

Memorandum by Earl of Haddington, &c. of Discharge of Park from Office of Keeper, &c. to be registered.

XIII. And be it enacted, That a Memorandum of the Provision herein-before mentioned, by which the said Royal Park is freed and discharged of the said Office, Profits, Rights, and other Premises, signed by the said *Thomas* Earl of *Haddington* or the Person who for the Time being would have been Heir of Entail in Possession thereof had this Act not been passed, shall, as soon as conveniently may be after the said Term of *Candlemas* One thousand eight hundred and forty-four, and Payment of such Price as aforesaid, be registered in the General Register of Sasines and Reversions at *Edinburgh*, which Memorandum may be in the Form set forth in the Schedule to this Act.

Entail not to be innovated.

XIV. And be it enacted, That nothing herein contained shall be held or construed to alter, innovate, change, or defeat the herein-recited Disposition and Deed of Entail executed by the said Sir *John Anstruther* and *John Cockburne*, with the Consent of the said *Thomas* Earl of *Haddington* and *Charles* Lord *Binning* his Son, or the Order of Succession thereby established, excepting in so far as is necessary for carrying the Purposes of this Act fully into effect.

SCHE-

SCHEDULE referred to by the Act.

BE it remembered, That by virtue of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], the Royal Park of Holyrood House, and other the Premises in the said Act mentioned, were freed and absolutely discharged of and from the Office of Hereditary Keeper of the said Park and Custody of the same, and of all Rents, Profits, Duties, Meadows, Fees, Casualties, Privileges, and Emoluments whatsoever pertaining and belonging to the said Office, and of and from the Power of admitting and constituting and also of out-putting Under Keepers, One or more, in the said Park, and also all Power of uplifting and receiving the yearly and termly Rents and Profits and Duties belonging to the same in Time coming, and of and from all other Rights, Privileges, Duties, and Emoluments whatsoever specified and contained or mentioned and referred to in a Charter of King Charles the First, bearing Date the Tenth Day of August One thousand six hundred and forty-six, and in a Charter of King William and Queen Mary, bearing Date the Twenty-third Day of January One thousand six hundred and ninety-one, both which Charters are recited in the said Act, or in any other Charter or Charters, Deed or Deeds, Instrument or Instruments, or from Usage or Possession following on such Charters or either of them, or in any other Way or on any other Account whatsoever, and of and from all other the Estate, Right, Title, and Interest, Claim of Right, Property, and Possession, both petitory and possessory, which Thomas Earl of Haddington, in the said Act mentioned, and his Predecessors and Authors or Heirs and Successors, had, have, or anywise may or might or could have, claim, or pretend to the said Office, and all Property and Rights annexed or appertaining thereto or in any Manner in relation to the same, and also freed and absolutely exonerated and for ever discharged of and from all and every the Rights and Right of Property and other Rights competent to the said Earl of Haddington and his Heirs of Entail, under the Disposition and Deed of Entail granted by Sir John Anstruther and John Cockburne, Esquire, bearing Date the Fourteenth, Sixteenth, and Twenty-seventh Days of August One thousand seven hundred and twenty-five, also in the said Act recited, or the Investitures following thereupon, and of and from all Incumbrances, Burdens, or Claims, of whatever Nature or Kind soever, anywise affecting the said Office, Profits, Rights, and others the Premises, or with which the same were chargeable, or otherwise howsoever.

A.B. _____
Witness.

C.D. _____
Witness.

CAP. LXV.

An Act to amend the Laws relating to the Copyright of Designs. [22d *August* 1843.]

5&6 Vict. c. 100.

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture*, there was granted to the Proprietor of any new and original Design, with the Exceptions therein mentioned, the sole Right to apply the same to the ornamenting of any Article of Manufacture or any such Substance as therein described during the respective Periods therein mentioned: And whereas it is expedient to extend the Protection afforded by the said Act to such Designs herein-after mentioned, not being of an ornamental Character, as are not included therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall come into operation on the First Day of *September* One thousand eight hundred and forty-three.

Commencement of Act.

Grant of Copyright.

II. And with regard to any new or original Design for any Article of Manufacture having reference to some Purpose of Utility, so far as such Design shall be for the Shape or Configuration of such Article, and that whether it be for the whole of such Shape or Configuration or only for a Part thereof, be it enacted, That the Proprietor of such Design not previously published within the United Kingdom of *Great Britain* and *Ireland* or elsewhere shall have the sole Right to apply such Design to any Article, or make or sell any Article according to such Design, for the Term of Three Years, to be computed from the Time of such Design being registered according to this Act: Provided always, that this Enactment shall not extend to such Designs as are within the Provisions of the said Act, or of Two other Acts passed respectively in the Thirty-eighth and Fifty-fourth Years of the Reign of His late Majesty King *George* the Third, and intituled respectively *An Act for encouraging the Art of making new Models and Casts of Busts, and other Things therein mentioned*, and *An Act to amend and render more effectual an Act for encouraging the Art of making new Models and Casts of Busts, and other Things therein mentioned.*

Proviso.

38 G. 3. c. 71.
54 G. 3. c 56.

Conditions of Copyright.

III. Provided always, and be it enacted, That no Person shall be entitled to the Benefit of this Act unless such Design have before Publication thereof been registered according to this Act, and unless the Name of such Person shall be registered according to this Act as a Proprietor of such Design, and unless after Publication of such Design every Article of Manufacture made by him according to such Design, or on which such Design is used, hath thereon the Word "Registered," with the Date of Registration.

Penalty for wrongfully

IV. And be it enacted, That unless a Design applied to any Article of Manufacture be registered either as aforesaid or according to the Provisions of the said first-mentioned Act, and also after the Copyright

right of such Design shall have expired, it shall be unlawful to put on any such Article the Word "Registered," or to advertise the same for Sale as a registered Article; and if any Person shall so unlawfully publish, sell, or expose or advertise for Sale any such Article of Manufacture, he shall forfeit for every such Offence a Sum not exceeding Five Pounds nor less than One Pound, which may be recovered by any Person proceeding for the same by any of the Remedies hereby given for the Recovery of Penalties for pirating any such Design. using Marks denoting a registered Design.

V. And be it enacted, That all such Articles of Manufacture as are commonly known by the Name of Floor Cloths or Oil Cloths shall henceforth be considered as included in Class Six in the said first-mentioned Act in that Behalf mentioned, and be registered accordingly. Floor or Oil Cloths included in Class Six.

VI. And be it enacted, That all and every the Clauses and Provisions contained in the said first-mentioned Act, so far as they are not repugnant to the Provisions contained in this Act, relating respectively to the Explanation of the Term Proprietor, to the Transfer of Designs, to the Piracy of Designs, to the Mode of recovering Penalties, to Actions for Damages, to cancelling and amending Registrations, to the Limitation of Actions, to the awarding of Costs, to the Certificate of Registration, to the fixing and Application of Fees of Registration, and to the Penalty for Extortion, shall be applied and extended to this present Act as fully and effectually, and to all Intents and Purposes, as if the said several Clauses and Provisoes had been particularly repeated and re-enacted in the Body of this Act. Certain Provisions of 5&6 Vict. c. 100. to apply to this Act.

VII. And be it enacted, That so much of the said first-mentioned Act as relates to the Appointment of a Registrar of Designs for ornamenting Articles of Manufacture, and other Officers, as well as to the fixing of the Salaries for the Payment of the same, shall be and the same is hereby repealed; and for the Purpose of carrying into effect the Provisions as well of this Act as of the said first-mentioned Act, the Lords of the Committee of the Privy Council for the Consideration of all Matters of Trade and Plantations may appoint a Person to be Registrar of Designs for Articles of Manufacture, and, if the Lords of the said Committee see fit, an Assistant Registrar and other necessary Officers and Servants; and such Registrar, Assistant Registrar, Officers, and Servants shall hold their Offices during the Pleasure of the Lords of the said Committee; and such Registrar shall have a Seal of Office; and the Commissioners of Her Majesty's Treasury may from Time to Time fix the Salary or other Remuneration of such Registrar, Assistant Registrar, and other Officers and Servants; and all the Provisions contained in the said first-mentioned Act, and not hereby repealed, relating to the Registrar, Deputy Registrar, Clerks, and other Officers and Servants thereby appointed and therein named, shall be construed and held to apply respectively to the Registrar, Assistant Registrar, and other Officers and Servants to be appointed under this Act. Appointment of Registrar, &c.

VIII. And be it enacted, That the said Registrar shall not register any Design for the Shape or Configuration of any Article of Manufacture as aforesaid unless he be furnished with Two exactly similar Drawings or Prints of such Design, with such Description in Writing as may be necessary to render the same intelligible according to the Judgment of the said Registrar, together with the Title of the said Design, and the Name of every Person who shall claim to be Proprietor, or of the Style or Title of the Firm under which such Proprietor may be trading, with his Place of Abode, or Place of carrying on Business, or other Place of Address; and every such Drawing or Print, together with the Title and Description of such Design, and the Name and Address of the Proprietor aforesaid, shall be on One Sheet of Paper or Parchment, and on the same Side thereof; and the Size of the said Sheet shall not exceed Twenty-four Inches by Fifteen Inches; and there shall be left on One of the said Sheets a blank Space on the same Side on which are the said Drawings, Title, Description, Name, and Address, of the Size of Six Inches by Four Inches, for the Certificate herein mentioned; and the said Drawings or Prints shall be made on a proper geometric Scale; and the said Description shall set forth such Part or Parts of the said Design (if any) as shall not be new or original; and the said Registrar shall register all such Drawings or Prints from Time to Time as they are received by him for that Purpose; and on every such Drawing or Print he shall affix a Number corresponding to the Order of Succession in the Register, and he shall retain one Drawing or Print which he shall file at his Office, and the other he shall return to the Person by whom the same has been forwarded to him; and in order to give a ready Access to the Designs so registered he shall keep a proper Index of the Titles thereof. Registrar's Duties. Drawings.

IX. And be it enacted, That if any Design be brought to the said Registrar to be registered under the said first-mentioned Act, and it shall appear to him that the same ought to be registered under this present Act, it shall be lawful for the said Registrar to refuse to register such Design otherwise than under the present Act and in the Manner hereby provided; and if it shall appear to the said Registrar that the Design brought to be registered under the said first-mentioned Act or this Act is not intended to be applied to any Article of Manufacture, but only to some Label, Wrapper, or other Covering in which such Article might be exposed for Sale, or that such Design is contrary to public Morality or Order, it shall be lawful for the said Registrar, in his Discretion, wholly to refuse to register such Design: Provided always, that the Lords of the said Committee of Privy Council may, on Representation made to them by the Proprietor of any Design so wholly refused to be registered as aforesaid, if they shall see fit, direct the said Registrar to register such Design, whereupon and in such Case the said Registrar shall be and is hereby required to register the same accordingly. Discretionary Power as to Registry vested in the Registrar. Proviso.

X. And be it enacted, That every Person shall be at liberty to inspect the Index of the Titles of the Designs, not being ornamental Designs, registered under this Act, and to take Copies from the same, paying only such Fees as shall be appointed by virtue of this Act in that Behalf; and every Person shall be at liberty to inspect any such Design, and to take Copies thereof, paying such Fee as aforesaid; but no Design Inspection of Index of Titles of Designs, &c

Design whereof the Copyright shall not have expired shall be open to Inspection, except in the Presence of such Registrar, or in the Presence of some Person holding an Appointment under this Act, and not so as to take a Copy of such Design, nor without paying such Fee as aforesaid.

Interpretation of Act.

XI. And, for the Interpretation of this Act, be it enacted, That the following Terms and Expressions, so far as they are not repugnant to the Context of this Act, shall be construed as follows; (that is to say,) the Expression "Commissioners of the Treasury" shall mean the Lord High Treasurer for the Time being, or the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them; and the Singular Number shall include the Plural as well as the Singular Number, and the Masculine Gender shall include the Feminine Gender as well as the Masculine Gender.

Alteration of Act.

XII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. LXVI.

An Act to enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment. [22d *August* 1843.]

3 G. 4. c. 39.

'WHEREAS an Act was passed in the Session of the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment*, by which, among other things, it was enacted, that the Clerk of the Dockets and Judgments in His said late Majesty's Court of King's Bench should cause every Warrant of Attorney and Cognovit Actionem in any personal Action, and every Copy thereof, which in and by the said recited Act are directed to be filed in his said Office, to be numbered, and should keep a Book or Books in his said Office in which he should cause to be fairly entered the Particulars in the said Act set forth, according to the Form contained in the Schedule to the said Act annexed, which said Book or Books, and every Warrant of Attorney and Cognovit Actionem, or Copy thereof, filed in the said Office, should be searched and viewed by all Persons at all seasonable Times, paying to the Officer for every Search against One Person the Sum of Sixpence, and no more: And whereas it is expedient that greater Facilities should be given to Persons in searching such Book or Books and obtaining the Information contained therein, and that the Provisions of the said Act should be enlarged:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act the said Officer of the said Court of Queen's Bench shall, in addition to the Book in and by the above-recited Act directed to be kept by him, keep another Book or Index, in which he shall cause to be fairly inserted, as and when such Warrants of Attorney or Cognovits Actionem are filed in manner as directed by the said Act, the Names, Additions, and Descriptions of the respective Defendants or Persons giving such Warrants of Attorney or Cognovits Actionem, but containing no farther Particulars thereof; which Book or Index all Persons shall be permitted to search for themselves, paying to the Officer for such Search the Sum of One Shilling, such Payment being in addition to the Payment of Sixpence provided by the said Act to be paid for every Search against One Person in the Book or Books provided to be kept under the Authority of the said Act.

In addition to the Book directed to be kept by the recited Act, another Book or Index shall be kept of Names, &c. of Persons by whom Warrants of Attorney are given; which shall be open to Inspection.

CAP. LXVII.

An Act to enable Parties to sue out and prosecute Writs of Error in certain Cases upon the Proceedings on Writs of Mandamus. [22d *August* 1843.]

'WHEREAS Writs of Mandamus are issued by Her Majesty's Court of Queen's Bench and the Courts of the Counties Palatine, and the Application for the same must now be made in those Courts respectively alone: And whereas Writs of Mandamus are frequently awarded, and often in Cases of considerable Importance, and the Practice of issuing such Writs hath of late very much increased: And whereas it is expedient that Parties interested in the issuing of or in the Proceedings upon such Writs respectively shall be enabled in certain Cases to have the Judgments and Decisions of the said Court of Queen's Bench, and Courts of the Counties Palatine respectively, in respect of the said Writs and of the Proceedings thereon, reviewed by a Court of Error, if they shall so think fit, and that a certain Mode of effecting the same shall be ordained and established: And whereas by a certain

9 Ann. c. 20.

Act made and passed in the Ninth Year of the Reign of Queen *Anne*, intituled *An Act for rendering the Proceedings upon Writs of Mandamus and Informations in the Nature of a Quo Warranto more speedy and effectual, and for the more easy trying and determining the Rights of Offices and Franchises in Corporations and Boroughs*, it was enacted, amongst other things, that in certain Cases therein mentioned, when a Writ of Mandamus should issue, and a Return should be made thereunto, it should be lawful for the Person suing or prosecuting such Writ to plead to or traverse all or any of the material Facts contained within the said Return, to which the Person making such Return should reply, take issue, or demur, and such further Proceedings in such Manner should be had therein for the Determination thereof as might have been had if the Person suing such Writ had brought his Action on the Case for a

1 W. 4. c. 21.

false Return: And whereas by an Act passed in the First Year of the Reign of the late King *William* the Fourth the said Provision herein-before mentioned of the said herein first-recited Act was extended to Writs of Mandamus in all other Cases, and to the Proceedings thereon: And whereas in neither of the

'said

'said recited Acts, nor in any other Act, is any Power or Authority given to the Person prosecuting 'such Writ of Mandamus to demur to the Return made to any such Writ, so that the Decision of the 'said Courts respectively as to the Validity of such Return could be reviewed by a Court of Error;' for Remedy whereof, therefore, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which the Person prosecuting any such Writ heretofore issued or hereafter to be issued shall wish or intend to object to the Validity of any Return already made or hereafter to be made to the same, he shall do so by way of Demurrer to the same, in such and the like Manner as is now practised and used in the Courts herein-before mentioned respectively in personal Actions; and thereupon the said Writ and Return and the said Demurrer shall be entered upon Record in the said Courts respectively, and such and the like further Proceedings shall be thereupon had and taken as upon a Demurrer to Pleadings in personal Actions in the said Courts respectively; and the said Courts respectively shall thereupon adjudge either that the said Return is valid in Law, or that it is not valid in Law, or that the Writ of Mandamus is not valid in Law; and if they adjudge that the said Writ is valid in Law, but that the Return thereto is not valid in Law, then and in every such Case they shall also by their said Judgment award that a peremptory Mandamus shall issue in that Behalf, and thereupon such peremptory Writ of Mandamus may be sued out and issued accordingly, at any Time after Four Days from the signing of the said Judgment; and it shall be lawful for the said Courts respectively, and they are hereby required, in and by their said Judgment to award Costs to be paid to the Party in whose Favour they shall thereby decide by the other Party or Parties.

In order to object to a Return to a Mandamus the Prosecutor must demur.

Proceedings thereupon.

II. And be it enacted, That whenever any such Judgment as is herein-before mentioned shall be given, or whenever Issue in Fact or in Law shall be joined upon any Pleadings in pursuance of the said recited Acts or either of them, and Judgment shall be given thereon by any of the Courts aforesaid, it shall be lawful for any Party to the Record in any of such Cases, who shall think himself aggrieved by such Judgment, to sue out and prosecute a Writ of Error for the Purpose of reversing the same, in such Manner and to such Court or Courts as a Party to any personal Action in the said Court may now sue out and prosecute a Writ of Error upon the Judgment in such Action; and such and the like Proceedings shall thereupon be had and taken, and such Costs awarded, as in ordinary Cases of Writs of Error upon Judgments of the said Courts respectively in personal Actions; and if the Judgment of such Court be reversed by the Court of Error, the said Court of Error shall thereupon by their Judgment not only reverse the same, but shall also in addition thereto give the same Judgment which the Court whose Judgment is so reversed ought to have given in that Behalf; and if by their said Judgment they shall award that a peremptory Writ of Mandamus shall issue, the same shall and may accordingly be issued by the proper Officer in the Office from which such Writs issue, as the Case may be, upon Production to him of an Office Copy of the said Judgment of the Court of Error, which shall be his Authority and Warrant for so doing: Provided always, that Bail in Error to the Amount of Fifty Pounds, or such other Sum as may by any Rule of Practice be appointed as herein-after provided, shall be duly put in within Four Days after the Allowance of the said Writ of Error, and the same shall afterwards be duly perfected according to the Practice of the Court wherein the said original Judgment was given, otherwise the Plaintiff in Error shall be deemed to have abandoned his Writ of Error, and the same shall not be further prosecuted.

Writ of Error upon the Judgment.

III. And be it enacted, That no Action, Suit, or any other Proceeding shall be commenced or prosecuted against any Person or Persons whatsoever for or by reason of any thing done in obedience to any peremptory Writ of Mandamus issued by any Court having Authority to issue Writs of Mandamus.

Peremptory Writ of Mandamus.

IV. And be it enacted, That the said Courts of Error who are hereby empowered to take cognizance of the Matters aforesaid may make, and they are hereby directed to make, from Time to Time and as often as they shall see Occasion, such Rules of Practice in reference to the said Application and the Proceedings thereon, and in reference to the Writs of Error herein-before mentioned and the Proceedings thereon, and the Amount of Bail to be taken, as the said Courts respectively may deem necessary to effectuate the Intention of this Act in relation to the same respectively.

Court of Error may make Rules.

CAP. LXVIII.

An Act for regulating Theatres. [22d *August* 1843.]

'WHEREAS it is expedient that the Laws now in force for regulating Theatres and Theatrical 'Performances be repealed, and other Provisions be enacted in their Stead:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Third Year of the Reign of King *James* the First, intituled *An Act to restrain the Abuses of Players;* and so much of an Act passed in the Tenth Year of the Reign of King *George* the Second for the more effectual preventing the unlawful playing of Interludes within the Precincts of the Two Universities in that Part of *Great Britain* called *England*, and the Places adjacent, as is now in force; and another Act passed in the Tenth Year of the Reign of King *George* the Second, intituled *An Act to explain and amend so much of an Act made in the Twelfth Year of the Reign of Queen* Anne, *intituled 'An Act for 'reducing the Laws relating to Rogues, Vagabonds, Sturdy Beggars, and Vagrants into One Act of 'Parliament, and for the more effectual punishing such Rogues, Vagabonds, Sturdy Beggars, and Vagrants, 'and sending them whither they ought to be sent,' as relates to common Players of Interludes;* and another

Repeal of 3 Jac. 1. c. 21. Part of 10 G. 2. c. 19. 10 G. 2. c. 28.

28 G. 3. c. 30. Act passed in the Twenty-eighth Year of the Reign of King *George* the Third, intituled *An Act to enable Justices of the Peace to license Theatrical Representations occasionally, under the Restrictions therein contained*, shall be repealed: Provided always, that any Licence now in force granted by the Lord Chamberlain, or granted by any Justices of the Peace under the Provisions of the last-recited Act, shall continue in force for the Times for which the same were severally granted, or until revoked by the Authority by which they were severally granted.

Proviso as to Licences now in force.

All Theatres for the Performance of Plays must be licensed.

II. And be it enacted, That, except as aforesaid, it shall not be lawful for any Person to have or keep any House or other Place of public Resort in *Great Britain*, for the public Performance of Stage Plays, without Authority by virtue of Letters Patent from Her Majesty, Her Heirs and Successors, or Predecessors, or without Licence from the Lord Chamberlain of Her Majesty's Household for the Time being, or from the Justices of the Peace as herein-after provided; and every Person who shall offend against this Enactment shall be liable to forfeit such Sum as shall be awarded by the Court in which or the Justices by whom he shall be convicted, not exceeding Twenty Pounds for every Day on which such House or Place shall have been so kept open by him for the Purpose aforesaid, without legal Authority.

What Licences shall be granted by the Lord Chamberlain.

III. And be it enacted, That the Authority of the Lord Chamberlain for granting Licences shall extend to all Theatres (not being Patent Theatres) within the Parliamentary Boundaries of the Cities of *London* and *Westminster*, and of the Boroughs of *Finsbury* and *Marylebone*, the *Tower Hamlets*, *Lambeth*, and *Southwark*, and also within those Places where Her Majesty, Her Heirs and Successors, shall, in their Royal Persons, occasionally reside: Provided always, that, except within the Cities and Boroughs aforesaid, and the Boroughs of *New Windsor* in the County of *Berks*, and *Brighthelmstone* in the County of *Sussex*, Licences for Theatres may be granted by the Justices as herein-after provided, in those Places in which Her Majesty, Her Heirs and Successors, shall occasionally reside; but such Licences shall not be in force during the Residence there of Her Majesty, Her Heirs and Successors; and during such Residence it shall not be lawful to open such Theatres as last aforesaid (not being Patent Theatres) without the Licence of the Lord Chamberlain.

Fee for Lord Chamberlain's Licence.

IV. And be it enacted, That for every such Licence granted by the Lord Chamberlain a Fee, not exceeding Ten Shillings for each Calendar Month during which the Theatre is licensed to be kept open, according to such Scale of Fees as shall be fixed by the Lord Chamberlain, shall be paid to the Lord Chamberlain.

Licences may be granted by Justices.

V. And be it enacted, That the Justices of the Peace within every County, Riding, Division, Liberty, Cinque Port, City, and Borough in *Great Britain* beyond the Limits of the Authority of the Lord Chamberlain, in which Application shall have been made to them for any such Licence as is herein-after mentioned, shall, within Twenty-one Days next after such Application shall have been made to them in Writing signed by the Party making the same, and countersigned by at least Two Justices acting in and for the Division within which the Property proposed to be licensed shall be situate, and delivered to the Clerk to the said Justices, hold a Special Session in the Division, District, or Place for which they usually act, for granting Licences to Houses for the Performance of Stage Plays, of the holding of which Session Seven Days Notice shall be given by their Clerk to each of the Justices acting within such Division, District, or Place; and every such Licence shall be given under the Hands and Seals of Four or more of the Justices assembled at such Special Session, and shall be signed and sealed in open Court, and afterwards shall be publicly read by the Clerk, with the Names of the Justices subscribing the same.

Fee for Justices Licence.

VI. And be it enacted, That for every such Licence granted by the Justices a Fee, not exceeding Five Shillings for each Calendar Month during which the Theatre is licensed to be kept open, according to such Scale of Fees as shall be fixed by the Justices, shall be paid to the Clerk of the said Justices.

To whom Licences shall be granted.

VII. And be it enacted, That no such Licence for a Theatre shall be granted by the Lord Chamberlain or Justices to any Person except the actual and responsible Manager for the Time being of the Theatre in respect of which the Licence shall be granted; and the Name and Place of Abode of such Manager shall be printed on every Play Bill announcing any Representation at such Theatre; and such Manager shall become bound himself in such penal Sum as the Lord Chamberlain or Justices shall require, being in no Case more than Five hundred Pounds, and Two sufficient Sureties, to be approved by the said Lord Chamberlain or Justices, each in such penal Sum as the Lord Chamberlain or Justices shall require, being in no Case more than One hundred Pounds, for the due Observance of the Rules which shall be in force at any Time during the Currency of the Licence for the Regulation of such Theatre, and for securing Payment of the Penalties which such Manager may be adjudged to pay for Breach of the said Rules, or any of the Provisions of this Act.

Rules for the Theatres under the Control of the Lord Chamberlain.

VIII. And be it enacted, That in case it shall appear to the Lord Chamberlain that any Riot or Misbehaviour has taken place in any Theatre licensed by him, or in any Patent Theatre, it shall be lawful for him to suspend such Licence or to order such Patent Theatre to be closed for such Time as to him shall seem fit; and it shall also be lawful for the Lord Chamberlain to order that any Patent Theatre or any Theatre licensed by him shall be closed on such public Occasions as to the Lord Chamberlain shall seem fit; and while any such Licence shall be suspended, or any such Order shall be in force, the Theatre to which the same applies shall not be entitled to the Privilege of any Letters Patent or Licence, but shall be deemed an unlicensed House.

Rules for enforcing Order in the Theatres licensed by the Justices.

IX. And be it enacted, That the said Justices of the Peace at a Special Licensing Session, or at some Adjournment thereof, shall make suitable Rules for insuring Order and Decency at the several Theatres licensed by them within their Jurisdiction, and for regulating the Times during which they shall severally be allowed to be open, and from Time to Time, at another Special Session, of which Notice shall be given

given as aforesaid, may rescind or alter such Rules; and it shall be lawful for any One of Her Majesty's Principal Secretaries of State to rescind or alter any such Rules, and also to make such other Rules for the like Purpose, as to him shall seem fit; and a Copy of all Rules which shall be in force for the Time being shall be annexed to every such Licence; and in case any Riot or Breach of the said Rules in any such Theatre shall be proved on Oath before any Two Justices usually acting in the Jurisdiction where such Theatre is situated, it shall be lawful for them to order that the same be closed for such Time as to the said Justices shall seem fit; and while such Order shall be in force the Theatres so ordered to be closed shall be deemed an unlicensed House.

Proviso for the Universities of Oxford and Cambridge.

X. Provided always, and be it enacted, That no such Licence shall be in force within the Precincts of either of the Universities of *Oxford* or *Cambridge*, or within Fourteen Miles of the City of *Oxford* or Town of *Cambridge*, without the Consent of the Chancellor or Vice Chancellor of each of the said Universities respectively; and that the Rules for the Management of any Theatre which shall be licensed with such Consent within the Limits aforesaid shall be subject to the Approval of the said Chancellor or Vice Chancellor respectively; and in case of the Breach of any of the said Rules or of any Condition on which the Consent of the Chancellor or Vice Chancellor to grant any such Licence shall have been given, it shall be lawful for such Chancellor or Vice Chancellor respectively to annul the Licence, and thereupon such Licence shall become void.

Penalty on Persons performing in unlicensed Places.

XI. And be it enacted, That every Person who for Hire shall act or present, or cause, permit, or suffer to be acted or presented, any Part in any Stage Play, in any Place not being a Patent Theatre or duly licensed as a Theatre, shall forfeit such Sum as shall be awarded by the Court in which or the Justices by whom he shall be convicted, not exceeding Ten Pounds for every Day on which he shall so offend.

No new Plays or Additions to old ones to be acted until submitted to the Lord Chamberlain.

XII. And be it enacted, That One Copy of every new Stage Play, and of every new Act, Scene, or other Part added to any old Stage Play, and of every new Prologue or Epilogue, and of every new Part added to an old Prologue or Epilogue, intended to be produced and acted for Hire at any Theatre in *Great Britain*, shall be sent to the Lord Chamberlain of Her Majesty's Household for the Time being, Seven Days at least before the first acting or presenting thereof, with an Account of the Theatre where and the Time when the same is intended to be first acted or presented, signed by the Master or Manager, or One of the Masters or Managers, of such Theatre; and during the said Seven Days no Person shall for Hire act or present the same, or cause the same to be acted or presented; and in case the Lord Chamberlain, either before or after the Expiration of the said Period of Seven Days, shall disallow any Play, or any Act, Scene, or Part thereof, or any Prologue or Epilogue, or any Part thereof, it shall not be lawful for any Person to act or present the same, or cause the same to be acted or presented, contrary to such Disallowance.

Fees to be paid for Examination of Plays, &c.

XIII. And be it enacted, That it shall be lawful for the Lord Chamberlain to charge such Fees for the Examination of the Plays, Prologues, and Epilogues, or Parts thereof, which shall be sent to him for Examination, as to him from Time to Time shall seem fit, according to a Scale which shall be fixed by him, such Fee not being in any Case more than Two Guineas, and such Fees shall be paid at the Time when such Plays, Prologues, and Epilogues, or Parts thereof, shall be sent to the Lord Chamberlain; and the said Period of Seven Days shall not begin to run in any Case until the said Fee shall have been paid to the Lord Chamberlain, or to some Officer deputed by him to receive the same.

The Lord Chamberlain may forbid any Play.

XIV. And be it enacted, That it shall be lawful for the Lord Chamberlain for the Time being, whenever he shall be of opinion that it is fitting for the Preservation of good Manners, Decorum, or of the public Peace so to do, to forbid the acting or presenting any Stage Play, or any Act, Scene, or Part thereof, or any Prologue or Epilogue, or any Part thereof, anywhere in *Great Britain*, or in such Theatres as he shall specify, and either absolutely or for such Time as he shall think fit.

Penalty for acting Plays before they are allowed or after they have been disallowed.

XV. And be it enacted, That every Person who for Hire shall act or present, or cause to be acted or presented, any new Stage Play, or any Act, Scene, or Part thereof, or any new Prologue or Epilogue, or any Part thereof, until the same shall have been allowed by the Lord Chamberlain, or which shall have been disallowed by him, and also every Person who for Hire shall act or present, or cause to be acted or presented, any Stage Play, or any Act, Scene, or Part thereof, or any Prologue or Epilogue, or any Part thereof, contrary to such Prohibition as aforesaid, shall for every such Offence forfeit such Sum as shall be awarded by the Court in which or the Justices by whom he shall be convicted, not exceeding the Sum of Fifty Pounds; and every Licence (in case there be any such) by or under which the Theatre was opened, in which such Offence shall have been committed, shall become absolutely void.

What shall be Evidence of acting for Hire.

XVI. And be it enacted, That in every Case in which any Money or other Reward shall be taken or charged directly or indirectly, or in which the Purchase of any Article is made a Condition for the Admission of any Person into any Theatre to see any Stage Play, and also in every Case in which any Stage Play shall be acted or presented in any House, Room, or Place in which distilled or fermented Exciseable Liquor shall be sold, every Actor therein shall be deemed to be acting for Hire.

Proof of Licence in certain Cases to lie on the Party accused.

XVII. And be it enacted, That in any Proceedings to be instituted against any Person for having or keeping an unlicensed Theatre, or for acting for Hire in an unlicensed Theatre, if it shall be proved that such Theatre is used for the public Performance of Stage Plays, the Burden of Proof that such Theatre is duly licensed or authorized shall lie on the Party accused, and until the contrary shall be proved such Theatre shall be taken to be unlicensed.

Proceedings begun before the passing of this Act may be discontinued.

XVIII. And be it enacted, That after the passing of this Act it shall be lawful for any Person against whom any Action or Information shall have been commenced, for the Recovery of any Forfeiture or pecuniary Penalty incurred under the said Act of the Tenth Year of the Reign of King *George* the Second, to

to apply to the Court in which such Action or Information shall have been commenced, if such Court shall be sitting, or if such Court shall not be sitting to any Judge of either of the Superior Courts at *Westminster*, for an Order that such Action or Information shall be discontinued, upon Payment of the Costs thereof incurred to the Time of such Application being made, such Costs to be taxed according to the Practice of such Court; and every such Court or Judge (as the Case may be), upon such Application, and Proof that sufficient Notice has been given to the Plaintiff or Informer, or to his Attorney, of the Application, shall make such Order as aforesaid; and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Action or Information shall be forthwith discontinued.

Penalties how to be recoverable.

XIX. And be it enacted, That all the pecuniary Penalties imposed by this Act for Offences committed in *England* may be recovered in any of Her Majesty's Courts of Record at *Westminster*, and for Offences committed in *Scotland* by Action or summary Complaint before the Court of Session or Justiciary there, or for Offences committed in any Part of *Great Britain* in a summary Way before Two Justices of the Peace for any County, Riding, Division, Liberty, City, or Borough where any such Offence shall be committed, by the Oath or Oaths of One or more credible Witness or Witnesses, or by the Confession of the Offender, and in default of Payment of such Penalty, together with the Costs, the same may be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus to such Offender, if any there be above the Penalty, Costs, and Charge of Distress; and for Want of sufficient Distress the Offender may be imprisoned in the Common Gaol or House of Correction of any such County, Riding, Division, Liberty, City, or Borough for any Time not exceeding Six Calendar Months.

Appeal.

XX. And be it enacted, That it shall be lawful for any Person who shall think himself aggrieved by any Order of such Justices of the Peace to appeal therefrom to the next General or Quarter Session of the Peace to be holden for the said County, Riding, Division, Liberty, City, or Borough, whose Order therein shall be final.

Appropriation of Penalties.

XXI. And be it enacted, That the said Penalties for any Offence against this Act shall be paid and applied in the first instance toward defraying the Expences incurred by the Prosecutor, and the Residue thereof (if any) shall be paid to the Use of Her Majesty, Her Heirs and Successors.

Limitation of Actions.

XXII. Provided always, and be it enacted, That no Person shall be liable to be prosecuted for any Offence against this Act unless such Prosecution shall be commenced within Six Calendar Months after the Offence committed.

Interpretation of Act.

XXIII. And be it enacted, That in this Act the Word "Stage-Play" shall be taken to include every Tragedy, Comedy, Farce, Opera, Burletta, Interlude, Melodrama, Pantomime, or other Entertainment of the Stage, or any Part thereof: Provided always, that nothing herein contained shall be construed to apply to any Theatrical Representation in any Booth or Show which by the Justices of the Peace, or other Persons having Authority in that Behalf, shall be allowed in any lawful Fair, Feast, or customary Meeting of the like Kind.

Limits of Act.

XXIV. And be it enacted, That this Act shall extend only to *Great Britain*.

Act may be amended, &c.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXIX.

An Act to continue until the First Day of *August* One thousand eight hundred and forty-four, and to the End of the then next Session of Parliament, certain Turnpike Acts.

[22d *August* 1843.]

4 & 5 Vict. c. 9.

'WHEREAS an Act was passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act for removing Doubts as to the Continuance of certain Local Turnpike Acts*, whereby all the Local Acts for regulating, making, or repairing Turnpike Roads in *Great Britain* (except as therein excepted), which, unless continued by some Public General Act, would have expired with the Session of Parliament in the Year One thousand eight hundred and thirty-four, or at any Time since, and at or before the End of the Session of the Year One thousand eight hundred and forty-one, were further continued: And whereas the said and also other like Acts will expire on or before the First of *October* next, or at the End of this Session of Parliament: And whereas it is expedient that all the said Acts be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the said Acts (except as excepted in the first-recited Act and as hereinafter excepted) shall continue in force until the First Day of *August* in the Year One thousand eight hundred and forty-four, and to the End of the then next Session of Parliament.

Acts referred to continued until 1st Aug. 1844.

This Act not to continue 3 G. 4. c. cxii. except as it repeals other Acts.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend to continue an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually amending certain Roads in the several Parishes of* Lambeth, Newington, Saint George Southwark, Bermondsey, *and* Christchurch *in the County of* Surrey, *and for watching, lighting, and otherwise improving the said Roads*, except so far as the said Act repeals any former Act.

Act may be amended, &c.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP.

CAP. LXX.

An Act to defray, until the First Day of *August* One thousand eight hundred and forty-four, the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [22d *August* 1843.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 5 & 6 *Vict. c.* 90., *and except also that Sect.* 3. *in this Act is omitted in that Act.*]

Adjutant, &c. to reside where the Secretary at War shall appoint.

II. And be it enacted, That, except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary at War; and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutants and Non-commissioned Officers of *Militia* may be employed in their Counties.

III. And be it enacted, That every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea* Hospital, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Continuance of Act.

XXXV. And be it enacted, That this Act shall take effect and continue in force from the Thirtieth Day of *June* One thousand eight hundred and forty-three until the First Day of *August* One thousand eight hundred and forty-four.

CAP. LXXI.

An Act to make further Provision in respect of Grand Jury Presentments in Counties of Cities and Counties of Towns in *Ireland*. [22d *August* 1843.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland: And whereas another Act was passed in the same Session of Parliament, intituled *An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in* Ireland: And whereas under the said recited Acts certain Parts or Portions of the old Liberties of certain Counties of Cities and Counties of Towns, and certain Parts of Parishes and other Denominations thereof, are included within the Boundaries of the Counties of such Cities or Towns as defined under the Provisions of the said recited Acts, and other Parts or Portions of the Liberties of the same Cities or Towns, and of such Parishes and other Denominations thereof, not being within such Boundaries, have for the Purposes of Grand Jury Presentments, among others, become Part of the adjoining Counties: And whereas Provision was made by the said last-mentioned Act for ascertaining the Proportion of any Debt incurred previous to the passing of the said Acts, to which any Precinct or Place not being under the Provisions of the said Acts Part of any such Borough would have been liable to contribute if the said Acts had not been passed; and further Provision for ascertaining and adjusting the Liabilities of such Precincts and Places, in respect of Sums included in Presentments made at the Spring or Summer Assizes of the Year One thousand eight hundred and forty-two, was made by an Act passed in the last Session of Parliament, intituled *An Act to enable Grand Juries at the ensuing Summer and Spring Assizes to make certain Presentments in Counties of Cities and Towns in* Ireland; *and to remove Doubts as to the Jurisdiction of Justices of the Peace in Places recently annexed to Counties at large in* Ireland: And whereas the said Provisions have not been acted upon in some Places by reason of Difficulties in the Presentment and Applotment of Grand Jury Cess: And whereas it has happened that the Grand Juries of certain Counties of Cities and Counties of Towns have, in error, presented to be raised off the same the whole of the Monies appointed to be paid to Contractors in respect of the public Ways within the former Liberties of such Cities or Towns instead of the Portion of such Monies payable in respect of the Portion of such Ways within the respective Boundaries of such Counties of Cities or Towns, as defined under the Provisions of the said recited Acts: And whereas it is necessary to make further Provision in respect of the Liabilities of such Precincts or Places not now included in such Counties of Cities or Counties of Towns:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Presentments made at the Spring or Summer Assizes of the present Year in and for any County of a City or County of a Town in *Ireland* shall include any Sum or Sums of Money presented for the Purpose of satisfying any lawful Debt incurred or accrued due and payable out of or by any such County of a City or County of a Town before the said first-recited Acts came into operation therein,

3&4 Vict. c. 108. s. 20.

3&4 Vict. c. 109.

5&6 Vict. c. 77.

If certain Presentments in the present Year include Sums for Debts incurred previous

to the Operation of the first-recited Act, the Proportions to which detached Portions of Counties, &c. shall be liable shall be settled by Barristers appointed by the Lord Lieutenant.

therein, or any Sum or Sums of Money payable to any Contractor in respect of any Portion of any public Way, or any other Monies whatsoever, in the Whole or Part, justly chargeable on any such Precinct or Place, it shall and may be lawful for the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on the Application of Ten or more Persons liable to the Payment of Grand Jury Cess in any such County of a City or County of a Town, to appoint by Writing under his Hand a Barrister, not having any Interest in the Question, by his Award, to be made in Duplicate under his Hand and Seal, to assess the Proportion, if any, of the Sum or Sums so included in any such Presentment to which any Place or Precinct not now under the Provisions of the said recited Acts Part of such County of a City or County of a Town, for the Purposes of Grand Jury Presentments, may be justly liable; or if such Sum or Sums, or any of them, shall have been presented to be levied by Instalments, pursuant to the Provisions in that Behalf made by the said last-recited Act, or by the herein-after mentioned Act of the present Session of Parliament, then and in such Case to assess the Proportion of such Instalments which ought to be paid and contributed by such Precinct or Place, and the Proportion of the Interest, if any, payable in respect of such Debt, or of any Advances made on account of such Instalments, which ought to be paid and contributed by such Precinct or Place; and such Arbitrator shall also assess the Costs of such Arbitration, and direct in what Proportion the same shall be paid by such County or any such Precinct or Place, and the same shall be presented accordingly by the respective Grand Juries; and the Proportion (if any) of the said Sum or Sums so presented, or if the Sum shall have been presented to be levied by Instalments as aforesaid, then and in such Case the Proportion (if any) of such Instalments, and of the Interest aforesaid, assessed by such Award on each such Precinct or Place, shall from Time to Time, until such Proportion shall have been fully paid and satisfied, be applotted, raised, and levied on and off such Precinct or Place as if the same had been duly presented by Warrant of the Treasurer of the County whereunto such Precinct or Place may be now annexed, and be by him paid over, when and as the same shall be raised and levied, to the Bank where the Treasurer of the County of the City or County of the Town of such Borough shall keep his Account, to be placed to his Credit therein; and the Sum or Sums, half-yearly Instalments, or Interest leviable off such County of a City or County of a Town as at present defined shall be *pro tanto* reduced; and such Award to be made as aforesaid shall be conclusive, and shall be sufficient Authority to the respective Treasurers for the Levy of the Sums therein specified.

Sums uncollected under former Levy to be added to Presentments of Instalments of Arrears. 6 & 7 Vict. c. 32.

II. 'And whereas the Grand Juries of Counties of Cities and Counties of Towns were empowered 'by the said recited Act of the last Session of Parliament to provide for the Levy, by Instalments, 'with Interest thereon, of Arrears accrued due to Contractors and others by reason of the Difficulties 'heretofore existing in the Collection and Applotment of Grand Jury Cess, and further Provision was 'made for the like Purpose by an Act of the present Session of Parliament, intituled *An Act to amend 'the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in* Ireland: And 'whereas under the said Two last-recited Acts any Person who may have paid any Sum of Money under 'any Warrant theretofore issued for raising and levying any Sum or Sums of Money, the Levy whereof 'or any Portion whereof, by Instalments, shall be or have been provided for by Presentment under the 'said Provisions of the said Two last-recited Acts or either of them, is entitled to have Credit for the 'Money so paid under such former Warrant, and by reason thereof it is necessary, in order to raise 'the whole Amount due, that the Amount so presented shall include all Sums at any Time levied and paid 'under such former Warrant as well as the Sums remaining uncollected thereunder;' be it therefore enacted, That in any Case in which the Grand Jury of any County of a City or County of a Town shall at the Summer Assizes of this present Year have made any Presentment under the said recited Enactments, or either of them, for the Levy, by Instalments, of Arrears accrued due as aforesaid in such County of a City or County of a Town, the Treasurer of such County of a City or County of a Town shall certify to the Clerk of the Crown of such County of a City or County of a Town the Amount of any Sums previously collected or levied under any such former Warrant as aforesaid; and such Clerk of the Crown is hereby authorized, under the Direction of the senior Judge of Assize who shall have presided at the said Summer Assizes, to amend such Presentment, by adding to the Sum mentioned in such Presentment the Amount of all Sums so certified by the Treasurer to have been previously collected or levied under any former Warrant as aforesaid, and inserting in such Presentment the total Amount of such Sums instead of the Sum mentioned therein; and such amended Presentment shall be good, valid, and effectual as if such Sum so inserted by the Clerk of the Crown had been duly presented by the Grand Jury, and the Presentment thereof duly fiated by the Court at such Assizes; and any Person who may have paid any Sum of Money under any Warrant heretofore issued for raising and levying any Sum or Sums of Money, the Levy whereof or any Portion whereof by Instalments, shall be or have been provided for by Presentment under the Provisions of this Act, shall be entitled to have Credit for the Money so paid under such former Warrant.

Presentments hereafter made to include Sums collected under any former Warrant.

III. And be it enacted, That any Presentment to be hereafter made under the Authority of the said recited Acts for the Levy, by Instalments, of any Arrears of Grand Jury Cess shall include all Sums collected or levied under any former Warrant for raising or levying any Sum or Sums of Money, the Levy whereof, by Instalment as aforesaid, shall be provided for by such Presentment.

Recited Acts and this Act construed as one Act.

IV. And be it enacted, That the said recited Acts of the last and present Session of Parliament and this Act shall be construed as one Act, except so far as the Provisions of any one of such Acts may repeal or alter the Provisions of any previous Act.

CAP. LXXII.

An Act to impose certain Stamp Duties, and to amend the Laws relating thereto.

[22d *August* 1843.]

'WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to repeal the Duties payable on Stage Carriages and on Passengers conveyed upon Railways, and certain other Stamp Duties in* Great Britain, *and to grant other Duties in lieu thereof; and also to amend the Laws relating to the Stamp Duties*, certain Stamp Duties were granted upon Donations or Presentations by Her Majesty, or Her Heirs or Successors, of or to any Ecclesiastical Benefice, Dignity, or Promotion in *England*, and upon Collations by any Archbishop or Bishop to any such Ecclesiastical Benefice, Dignity, or Promotion: And whereas it is expedient that the said Duties should be paid upon all Donations, Presentations, and Collations of or to Ecclesiastical Benefices, Dignities, or Promotions in *England*, by whomsoever made or granted;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several and respective Duties by the said recited Act granted and imposed upon any Donation or Presentation by Her Majesty, or Her Heirs or Successors, of or to any Ecclesiastical Benefice, Dignity, or Promotion in *England*, shall be and the same are hereby respectively charged and made payable upon or for and in respect of every Donation or Presentation, by whomsoever made or granted, of or to any such Ecclesiastical Benefice, Dignity, or Promotion; and that the several Duties by the said Act granted and imposed upon any Collation by any Archbishop or Bishop to any Ecclesiastical Benefice, Dignity, or Promotion in *England* shall be and the same are hereby charged and made payable upon or for and in respect of every Collation to any such Ecclesiastical Benefice, Dignity, or Promotion, whether the same shall be made by any Archbishop or Bishop, or by any other ordinary or competent Authority. 5 & 6 Vict. c. 79.

The Duties on Donations and Presentations by Her Majesty to extend to all Donations and Presentations by whomsoever made.

II. And be it enacted, That the Certificate of the Ecclesiastical Commissioners for *England* for ascertaining the Value of any Benefice, Dignity, or Promotion, as required by the said Act, shall in every Case be written upon the Instrument of Donation, Presentation, or Collation respectively charged with Duty by the said Act or this Act; and where Institution shall proceed upon the Petition of the Patron to be himself admitted and instituted, such Certificate shall be written upon the Instrument of Institution charged with Duty by the said Act, and no such Instrument as aforesaid shall be used or be available unless nor until such Certificate shall be so written thereon; and such Instrument shall be stamped to denote the proper Duty chargeable in respect thereof.

The Certificate of the Value of the Benefice to be written upon the Donation, &c.

III. 'And whereas it is expedient to impose a Stamp Duty on every Certificate which may be issued of the Registration of a Design under the Authority of an Act passed in the present Session of Parliament, intituled *An Act to amend the Laws relating to the Copyright of Designs;*' be it enacted, That there shall be charged and payable upon or for and in respect of every Certificate to be issued of the Registration of a Design under the Authority of the said last-mentioned Act a Stamp Duty of Five Pounds, to be denoted by a Stamp to be specially appropriated for expressing and denoting the said Duty, and to be impressed upon every such Certificate.

Stamp Duty payable on Certificates of Registration of a Design under 6 & 7 Vict. c. 65.

IV. And be it enacted, That the said several and respective Duties hereby charged and made payable shall be under the Care and Management of the Commissioners of Stamps and Taxes; and all the Powers, Provisions, Regulations, Fines, Pains, and Penalties now in force relating to any Stamp Duties under the Care or Management of the said Commissioners shall be of full Force and Effect with respect to the several Duties hereby imposed, as far as the same are or shall be applicable, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, paying, accounting for, and securing of the said Duties hereby imposed, and for the preventing, detecting, and punishing of all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties hereby imposed.

Extending the Powers of Stamp Acts to Duties in this Act.

V. 'And whereas under and by virtue of another Act passed in the last Session of Parliament, intituled *An Act to assimilate the Stamp Duties in* Great Britain *and* Ireland, *and to make Regulations for collecting and managing the same, until the Tenth Day of* October *One thousand eight hundred and forty-five*, Bonds entered into by Persons on obtaining Marriage Licences in *Ireland* are chargeable with a Stamp Duty of Twenty Shillings, and certain Releases of Freehold Property in *Ireland* are chargeable with the Stamp Duty payable for and in respect of a Bargain and Sale or Lease for a Year where no such Bargain and Sale or Lease for a Year is actually prepared and executed; and it is expedient to exempt from such Duty respectively all such Bonds, and also Leases for Lives of Property of small Value;' be it therefore enacted, That from and after the passing of this Act the Duty of Twenty Shillings chargeable, under or by virtue of the said last-mentioned Act, upon or for or in respect of any Bond entered into by any Person on obtaining a Marriage Licence in *Ireland*, shall cease and be no longer payable; and that no Lease, Release, Deed, or other Instrument for setting or demising Lands, Tenements, or Hereditaments in *Ireland* for any Term not exceeding Three Lives, where the annual Amount of the Rent reserved (any penal Rent or any increased or reserved Rent in the Nature of a penal Rent not being included in such Amount) shall not exceed Fifty Pounds, and the Fine or Consideration of the same shall not exceed Two hundred Pounds, nor any Counterpart or Duplicate thereof, shall be charged or chargeable with any Stamp Duty for or in respect of a Bargain and Sale or Lease for a Year therein mentioned or referred to in relation to such Lands, Tenements, or Hereditaments so set or demised

The Duties on Marriage Bonds in Ireland repealed, and the Duty for a Lease for a Year not to be charged on Leases for Lives of Property of small Value. 5 & 6 Vict. c. 82.

demised therein or thereby; and the Recital of a Bargain and Sale or Lease for a Year of such Lands, Tenements, or Hereditaments in or upon any such Lease, Release, Deed, or other Instrument shall be as effectual in Law as the same would have been if the said last-mentioned Act had not been passed, any thing in the said Act contained to the contrary thereof in anywise notwithstanding.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. LXXIII.

An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in *England* and *Wales*. [22d *August* 1843.]

'WHEREAS the Laws relating to Attornies and Solicitors are numerous and complicated, and it is 'expedient to consolidate and simplify and to alter and amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Acts and Parts of Acts set forth in the First Part of the First Schedule hereunto annexed, so far as the same relate to that Part of the United Kingdom of *Great Britain* and *Ireland* called *England* and *Wales*, shall be and the same are hereby repealed, save only and except so far as such Acts or Parts of Acts, or any of them, repeal the Whole or any Part of the same or of any other Act or Acts, and also save and except so far as relates to any Matters or Things done at any Time before the passing of this Act, all which Matters and Things shall be and remain good, valid, and effectual, to all Intents and Purposes whatsoever, as if this Act had not passed, and also save and except as to the Recovery and Application of any Penalty for any Offence which shall have been committed before the passing of this Act: Provided always, that nothing in this Act shall be construed to repeal or alter any of the Acts or Parts of Acts mentioned to be saved in the Second Part of the First Schedule hereunto annexed.

Repeal of former Acts.

No Person to act as an Attorney or Solicitor unless admitted and enrolled.

II. And be it enacted, That from and after the passing of this Act no Person shall act as an Attorney or Solicitor, or as such Attorney or Solicitor sue out any Writ or Process, or commence, carry on, solicit, or defend any Action, Suit, or other Proceeding, in the Name of any other Person or in his own Name, in Her Majesty's High Court of Chancery, or Courts of Queen's Bench, Common Pleas, or Exchequer, or Court of the Duchy of *Lancaster*, or Court of the Duchy Chamber of *Lancaster* at *Westminster*, or in any of the Courts of the Counties Palatine of *Lancaster* and *Durham*, or in the Court of Bankruptcy, or in the Court for the Relief of Insolvent Debtors, or in any County Court, or in any Court of Civil or Criminal Jurisdiction, or in any other Court of Law or Equity in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England* and *Wales*, or act as an Attorney or Solicitor in any Cause, Matter, or Suit, Civil or Criminal, to be heard, tried, or determined before any Justice of Assize, of Oyer and Terminer, or Gaol Delivery, or at any General or Quarter Sessions of the Peace for any County, Riding, Division, Liberty, City, Borough, or Place, or before any Justice or Justices, or before any Commissioners of Her Majesty's Revenue, unless such Person shall have been previously to the passing of this Act admitted and enrolled and otherwise duly qualified to act as an Attorney or Solicitor under or by virtue of the Laws now in force, or unless such Person shall after the passing of this Act be admitted and enrolled and otherwise duly qualified to act as an Attorney or Solicitor, pursuant to the Directions and Regulations of this Act, and unless such Person shall continue to be so duly qualified and on the Roll at the Time of his acting in the Capacity of an Attorney or Solicitor as aforesaid.

No Person to be admitted an Attorney or Solicitor unless he shall have served a Clerkship of Five Years.

III. And be it enacted, That, except as herein-after mentioned, no Person shall, from and after the passing of this Act, be capable of being admitted and enrolled as an Attorney or Solicitor, unless such Person shall have been bound by Contract in Writing to serve as Clerk for and during the Term of Five Years to a practising Attorney or Solicitor in *England* or *Wales*, and shall have duly served under such Contract for and during the said Term of Five Years, and also unless such Person shall, after the Expiration of the said Term of Five Years, have been examined and sworn in the Manner herein-after directed: Provided always, that any Person who now is or shall hereafter be bound by Contract in Writing to serve as Clerk to a practising Attorney or Solicitor of the Court of Common Pleas of the County Palatine of *Lancaster* or the Court of Pleas of the County Palatine of *Durham* respectively for the Term of Five Years, and shall continue in such Service for and during the said Term, and shall during the whole of such Term have been actually employed by such Attorney or Solicitor, or by the *London* Agent of any such Attorney or Solicitor, or by any practising Barrister or Special Pleader, with the Consent of such Attorney or Solicitor, for any Part of the said Term not exceeding One Year, shall be admitted and enrolled an Attorney of the said last-mentioned Courts respectively as heretofore, on his satisfying the Judges for the Time being of the said Courts respectively of his being qualified to act as an Attorney or Solicitor.

Proviso as to Courts of Lancaster and Durham.

No Attorney to have more than Two Clerks at one Time, or to take or retain any Clerk after discontinuing

IV. And be it enacted, That no Attorney or Solicitor shall have more than Two Clerks at one and the same Time who shall be bound by such Contract in Writing as aforesaid to serve him as Clerks; and that no Attorney or Solicitor shall take, have, or retain any Clerk who shall be bound by Contract in Writing as aforesaid after such Attorney or Solicitor shall have discontinued or left off practising as or carrying on the Business of an Attorney or Solicitor, nor whilst such Attorney or Solicitor shall be retained or employed as a Writer or Clerk by any other Attorney or Solicitor; and Service by any Clerk under

under Articles to an Attorney or Solicitor, for and during any Part of the Time that such Attorney or Solicitor shall be so employed as Writer or Clerk by any other Attorney or Solicitor, shall not be deemed or accounted as good Service under such Articles.

Business, nor whilst Clerk to another.

V. And be it further enacted, That in case any Attorney or Solicitor to whom any Clerk shall be bound by Contract in Writing as aforesaid shall, before the End or Determination of such Contract, become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, or be imprisoned for Debt and remain in Prison for the Space of Twenty-one Days, it shall be lawful for any of the said Courts of Law or Equity wherein such Attorney or Solicitor is admitted as aforesaid, upon the Application of such Clerk, to order and direct the said Contract to be discharged, or assigned to such Person upon such Terms and in such Manner as the said Court shall think fit.

In case Attorney become bankrupt or insolvent, or be imprisoned.

VI. Provided always, and be it enacted, That any Person who now is or hereafter shall be bound by Contract in Writing to serve as a Clerk to a practising Attorney or Solicitor for the Term of Five Years, and who shall actually and *bonâ fide* be and continue as Pupil with and as such be employed by any practising Barrister, or any Person *bonâ fide* practising as a certificated Special Pleader, in *England* or *Wales*, for any Part of the said Term, not exceeding One whole Year, and in addition thereto or instead thereof with the *London* Agent of the Attorney or Solicitor to whom any such Person shall be so bound by Contract as aforesaid for any Part of the said Term not exceeding One Year, either by virtue of any Stipulation in such Contract, or with the Permission of such Attorney or Solicitor, shall be capable of being examined, and sworn and admitted and enrolled as an Attorney or Solicitor, in the same Manner as if he had served the whole of the said Period of Five Years with the Attorney or Solicitor to whom he may be so bound.

Persons bound for Five Years may serve One Year with a Barrister or Special Pleader, and One Year with a London Agent.

VII. Provided always, and be it enacted, That any Person who shall have taken or who shall take the Degree of Bachelor of Arts within Six Years after his Matriculation, or the Degree of Bachelor of Laws within Eight Years after his Matriculation, either in the University of *Oxford* or in the University of *Cambridge*, or in the University of *Dublin*, or in the University of *Durham*, or in the University of *London*, and who shall within Four Years after the Day whereon he shall have taken or shall take such Degree be bound by Contract in Writing to serve as a Clerk for and during the Term of Three Years to a practising Attorney or Solicitor in *England* or *Wales*, and shall have continued in such Service for and during the said Term of Three Years, and shall during the whole of such Term have been actually employed by such Attorney or Solicitor, or by the *London* Agent of such Attorney or Solicitor, with his Consent, for any Part of the said Term, not exceeding One Year, in the proper Business, Practice, or Employment of any Attorney or Solicitor, and who shall after the Expiration of the said Term of Three Years have been examined and sworn in the Manner herein-after directed, shall be capable of being admitted and enrolled as an Attorney or Solicitor, although he shall have served a Clerkship under such Contract as aforesaid for and during the Term of Three Years only.

Any Person who has taken a Degree at Oxford, &c. may act as an Attorney or Solicitor after a Clerkship of Three Years.

One Year with Agent.

VIII. And be it enacted, That whenever any Person shall after the passing of this Act be bound by Contract in Writing to serve as a Clerk to any Attorney or Solicitor as aforesaid, the Attorney or Solicitor to whom such Person shall be so bound as aforesaid shall, within Six Months after the Date of every such Contract, make and duly swear, or cause or procure to be made and duly sworn, an Affidavit or Affidavits of such Attorney or Solicitor having been duly admitted, and also of the actual Execution of every such Contract by him the said Attorney or Solicitor and by the Person so to be bound to serve him as a Clerk as aforesaid; and in every such Affidavit shall be specified the Names of every such Attorney or Solicitor and of every such Person so bound, and their Places of Abode respectively, together with the Day on which such Contract was actually executed; and every such Affidavit shall be filed within Six Months next after the Execution of the said Contract with and by the Officer appointed or to be appointed for that Purpose as herein-after mentioned, who shall thereupon enrol and register the said Contract, and shall make and sign a Memorandum of the Day of filing such Affidavit upon such Affidavit and also upon the said Contract.

Affidavit to be made and filed within Six Months of Execution of Articles, and the Articles to be enrolled.

IX. Provided always, and be it enacted, That in case such Affidavit be not filed within such Six Months the same may be filed by the said Officer after the Expiration thereof, but the Service of such Clerk shall be reckoned to commence and be computed from the Day of filing such Affidavit, unless one of the said Courts of Law or Equity shall otherwise order.

If not filed within Six Months, how Service to reckon.

X. And be it enacted, That no Person who shall from and after the passing of this Act become bound as aforesaid shall be admitted an Attorney or Solicitor before such Affidavit so marked as aforesaid shall have been produced to the Court or Judge to whom such Person shall apply to be admitted an Attorney or Solicitor, in pursuance of the Provisions herein-after contained, unless such Court or Judge shall be satisfied that the same cannot be produced, and shall think fit to dispense with the Production thereof.

Affidavit to be produced on applying for Admission.

XI. And be it enacted, That the Officer so appointed or to be appointed for filing such Affidavits as aforesaid shall keep a Book wherein shall be entered the Substance of every Affidavit which shall be so filed as aforesaid, specifying the Name and Place of Abode of the Attorney or Solicitor to whom any Person shall be bound to serve as a Clerk, and of the Clerk or Person who shall be so bound as aforesaid, and of the Person making such Affidavit, with the Date of the Articles or Contract in such Affidavit mentioned or referred to, and the Days of swearing and filing every such Affidavit respectively; and such Officer shall be at liberty to take, at the Time of filing every such Affidavit, the Sum mentioned in the Second Schedule to this Act annexed, and no more, as a Recompence for his Trouble in filing such Affidavits and preparing and keeping such Books as aforesaid; and such Books shall and may be searched in Office Hours by any Person whomsoever, without Fee or Reward.

Book to be kept for entering the Substance of Affidavits, with the Names, &c. of Attorney and Clerk, &c. which may be searched.

How Clerks to be employed.

XII. And be it enacted, That every Person who now is or hereafter shall be bound by Contract in Writing to serve as a Clerk to any Attorney or Solicitor shall, during the whole Time and Term of Service to be specified in such Contract, continue and be actually employed by such Attorney or Solicitor in the proper Business, Practice, or Employment of an Attorney or Solicitor, save only and except in the Cases herein-before mentioned.

Clerks whose Masters have died or left off Practice may enter into fresh Contracts for the Residue of their Term.

XIII. And be it enacted, That if any Attorney or Solicitor to or with whom any such Person shall be so bound shall happen to die before the Expiration of the Term for which such Person shall be so bound, or shall discontinue or leave off Practice as an Attorney or Solicitor, or if such Contract shall by mutual Consent of the Parties be cancelled, or in case such Clerk shall be legally discharged before the Expiration of such Term by any Rule or Order of the Court wherein such Attorney or Solicitor shall have been admitted, such Clerk shall and may in any of the said Cases be bound by another Contract or other Contracts in Writing to serve as Clerk to any other practising Attorney or Solicitor, or Attornies or Solicitors, during the Residue of the said Term, and Service under such second or other Contract in manner herein-before mentioned shall be deemed and taken to be good and effectual, provided that an Affidavit be duly made and filed of the Execution of such second or other Contract or Contracts within the Time and in the Manner herein-before directed, and subject to the like Regulations with respect to the original Contract and Affidavit of the Execution thereof.

Clerks before Admission to make Affidavit of having served.

XIV. And be it enacted, That every Person who shall have been or shall be bound as a Clerk as aforesaid shall, before he be admitted an Attorney or Solicitor according to this Act, prove, by an Affidavit of himself or of the Attorney or Solicitor to whom he was bound as aforesaid, or such Agent, Barrister, or Special Pleader as aforesaid, to be duly made and filed with the proper Officer herein-before mentioned, that he hath actually and really served and been employed by such practising Attorney, Solicitor, Agent, Barrister, or Special Pleader, during the whole Time and in the Manner required by the Provisions of this Act, and in the Form to be approved by the Judges of the Court wherein such Person shall apply to be admitted.

Persons on applying for Admission as Attornies to be examined as to Fitness and Capacity.

XV. And be it enacted, That it shall be lawful for the Judges of the said Courts of Queen's Bench, Common Pleas, and Exchequer, or any One or more of them, and he and they is and are hereby authorized and required, before he or they shall issue a Fiat for the Admission of any Person to be an Attorney, to examine and inquire, by such Ways and Means as he or they shall think proper, touching the Articles and Service and the Fitness and Capacity of such Person to act as an Attorney, and if the Judge or Judges as aforesaid shall be satisfied by such Examination, or by the Certificate of such Examiners, as herein-after mentioned, that such Person is duly qualified and fit and competent to act as an Attorney, then, and not otherwise, the said Judge or Judges shall and he and they is and are hereby authorized and required to administer or cause to be administered to such Person the Oath herein-after directed to be taken by Attornies and Solicitors, in addition to the Oath of Allegiance, and after such Oaths taken to cause him to be admitted an Attorney of such Court, and his Name to be enrolled as an Attorney of such Court, which Admission shall be written on Parchment, and signed by such Judge or Judges respectively, and shall be stamped with the Stamps by Law required to be impressed on the Admission of Attornies.

Oaths to be administered.

Judges may appoint Examiners.

XVI. And for the Purpose of facilitating the Inquiry touching the due Service under Articles as aforesaid, and the Fitness and Capacity of any Person to act as an Attorney, be it enacted, That it shall be lawful for the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer, (or any Eight or more of them, of whom the Chiefs of the said Courts shall be Three,) from Time to Time to nominate and appoint such Persons to be Examiners for the Purposes aforesaid, and to make such Rules and Regulations for conducting such Examination, as such Judges shall think proper.

The Master of the Rolls, before admitting any Person as a Solicitor, to inquire as to his Fitness and Capacity.

XVII. And be it enacted, That it shall be lawful for the Master of the Rolls and he is hereby authorized and required, before he shall admit any Person to be a Solicitor, to examine and inquire, by such Ways and Means as he shall think proper, touching the Fitness and Capacity of such Person to act as a Solicitor, and for that Purpose from Time to Time to appoint such Persons as Examiners, and to make such Orders and Regulations for conducting such Examination, as he shall think proper; and if the Master of the Rolls shall, by such Examination, or by the Certificate of such Examiners, be satisfied that such Person is duly qualified to be admitted to act as a Solicitor, then, and not otherwise, the Master of the Rolls shall and he is hereby authorized to administer or cause to be administered to such Person the Oath herein-after directed to be taken by Attornies and Solicitors, in addition to the Oath of Allegiance, and after such Oaths taken to cause him to be admitted a Solicitor in the Court of Chancery, and his Name to be enrolled as a Solicitor in such Court, which Admission shall be written on Parchment, and signed by the Master of the Rolls, and shall be stamped with the Stamps by Law required to be impressed on the Admission of Solicitors.

The Master of the Rolls, jointly with the Judges, may appoint Examiners touching the Admission of Persons to act both as Attornies and Solicitors.

XVIII. Provided always, and be it enacted, That it shall be lawful for the Master of the Rolls, jointly with the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer, or with any Eight or more of them, (of whom the Chiefs of the said Courts shall be Three,) if they shall see fit so to do, to nominate and appoint Examiners, and to make Rules and Regulations for conducting the Examinations of Persons applying to be admitted as Attornies and Solicitors, as well touching the Articles and Service as the Fitness and Capacity of such Persons to act both as Attornies and Solicitors; and if the Master of the Rolls or any of the Judges of the said Courts of Common Law shall, by such Examination, or by the Certificate of such Examiners, be satisfied that such Person is duly qualified to be admitted to act as an Attorney and Solicitor, then, and not otherwise, the Master of the Rolls as to the Court of Chancery, and one of the Judges as to the said Courts of Law at *Westminster*, shall and he is hereby authorized to administer

administer or cause to be administered to such Person the Oath herein-after directed to be taken by Solicitors and Attornies, in addition to the Oath of Allegiance, and after such Oaths taken to cause him to be admitted an Attorney and Solicitor, and his Name to be enrolled as an Attorney of the said Courts of Law at *Westminster*, and also a Solicitor of the said High Court of Chancery, which Admissions shall be written on Parchment, and signed by the Master of the Rolls or one of the Judges of the said Courts of Law at *Westminster*, as the Case may be.

Attornies and Solicitors, before Admission, to take Oath.

XIX. And be it enacted, That every Person who shall pursuant to this Act apply to be admitted an Attorney or Solicitor shall, before he be admitted and enrolled as aforesaid, take and subscribe the Oath, or, if he be one of the People called Quakers, the Affirmation, following:

'I *A.B.* do swear [*or* solemnly affirm, *as the Case may be*], That I will truly and honestly demean myself in the Practice of an Attorney [*or* Solicitor, *as the Case may be*,] according to the best of my Knowledge and Ability. So help me GOD.'

The proper Officers for filing Affidavits of the Execution of Articles of Clerkship, and for having the Care of the Rolls.

Names of Attornies to be enrolled in alphabetical Order.

XX. And be it enacted, That from and after the passing of this Act the Masters of the several Courts of Law at *Westminster*, or such other Person or Persons as the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, shall for that Purpose severally and respectively appoint, shall be deemed and taken to be the proper Officers for filing such Affidavits as aforesaid in the said respective Courts, and they shall have the Custody and Care of the Rolls or Books wherein Persons are at present enrolled as Attornies in the said respective Courts, and shall and they are hereby respectively required from Time to Time, without Fee or Reward, other than such Sum or Sums as are mentioned in the Second Schedule hereunto annexed, to enrol the Name of every Person who shall be admitted an Attorney in the said respective Courts, pursuant to the Directions in this Act, and the Time when admitted, in alphabetical Order, in Rolls or Books to be provided and kept for that Purpose in their several and respective Offices; and also that the Queen's Remembrancer in the Court of Exchequer or his Deputy, and the Chief Clerk of the Court of the Duchy Chamber of *Lancaster* at *Westminster* or his Deputy, and the Prothonotaries of the Courts of the Counties Palatine of *Lancaster* and *Durham* or their Deputies, or such Person or Persons as the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer shall jointly appoint, shall have the Custody and Care of the Rolls or Books wherein Persons are at present enrolled as Attornies and Solicitors in the said last-mentioned respective Courts, which said Prothonotaries of the Courts of the Counties Palatine of *Lancaster* and *Durham* or their Deputies, or such Person or Persons as shall be appointed as last mentioned, shall be deemed and taken to be the proper Officers for filing such Affidavits as herein-before mentioned in the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham* respectively; and he and they is and are hereby respectively required from Time to Time, without Fee or Reward, other than such Sum or Sums of Money as are now payable, to enrol the Name of every Person who shall be admitted an Attorney in the said last-mentioned respective Courts pursuant to the Directions in this Act, and the Time when admitted, in alphabetical Order, in Rolls or Books to be provided and kept for that Purpose in their several and respective Offices; and also that the Senior Clerk of the Petty Bag Office in the Court of Chancery, or his Deputy, the Chief Clerk of the Duchy Chamber of *Lancaster* at *Westminster*, or his Deputy, the Registrars of the respective Courts of Equity in the Counties Palatine of *Lancaster* and *Durham*, or such other Person or Persons as the Master of the Rolls shall for that Purpose appoint, shall have the Custody and Care of the Rolls or Books wherein Persons are at present enrolled as Solicitors, and which said Clerk of the Petty Bag Office, or such other Person or Persons as shall be appointed as last mentioned, shall be deemed and taken as the proper Officer or Officers for filing such Affidavits as herein-before mentioned in the Court of Chancery; and he and they is and are hereby also respectively required from Time to Time, without Fee or Reward, other than as last aforesaid, to enrol the Name of every Person who shall be admitted a Solicitor pursuant to the Directions in this Act, and the Time when admitted, in alphabetical Order, in Rolls or Books to be kept for that Purpose, to which Rolls or Books in the said Courts of Law or Equity respectively all Persons shall and may have free Access, without Fee or Reward.

Names of Solicitors to be enrolled in alphabetical Order.

Appointment of the Incorporated Law Society as Registrar of Attornies and Solicitors.

XXI. And be it enacted, That from and after the passing of this Act there shall be a Registrar of Attornies and Solicitors, and that it shall be the Duty of such Registrar to keep an alphabetical Roll or Book, or Rolls or Books, of all Attornies and Solicitors, and to issue Certificates of Persons who have been admitted and enrolled as Attornies or Solicitors, and are entitled to take out stamped Certificates authorizing them to practise as such; and it shall be lawful to and for the Lord Chief Justice of Her Majesty's Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, (or any Three of them, of whom the Master of the Rolls shall be One,) to make such Orders, Directions, and Regulations touching the Performance and Execution of the Duties aforesaid as they shall think proper; and such Registrar, or some Person duly appointed by him, shall have free Access to and shall be at liberty from Time to Time to examine and take Copies or Extracts, without Fee or Reward, of all Rolls or Books kept for the Enrolment of Attornies and Solicitors in any of the Courts at *Westminster*, and for the Enrolment of Attornies and Solicitors in the Court of the Duchy of *Lancaster*, or Court of the Duchy Chamber of *Lancaster* at *Westminster*, or in any Courts of the Counties Palatine of *Lancaster* and *Durham*; and that the Duties of such Office of Registrar shall be performed by the incorporated "Society of Attornies, Solicitors, Proctors, and others, not being Barristers, practising in the Courts of Law and Equity of the United Kingdom," whether by their present or any future Charter of Incorporation, unless and until

the Lord Chief Justice of the Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer (or any Three of them, of whom the Master of the Rolls shall be One,) shall, by any Order under their Hands, which Order they are hereby authorized and empowered to make, appoint any fit and proper Person to perform the said Duties in the Place and Stead of the said Society, (which said Person shall be called the Registrar of Attornies and Solicitors, and shall hold such Office or Employment during Pleasure only,) and so from Time to Time to appoint any other fit and proper Person, or the said Society, to perform the said Duties during Pleasure.

Commissioners of Stamps not to grant any Certificate until Registrar has certified that the Applicant is entitled thereto.

Commissioners to deliver all such Certificates yearly to the Registrar endorsed with the Date of granting Certificate.

XXII. And be it enacted, That from and after the Fifteenth Day of *November* next it shall not be lawful for the Commissioners of Stamps and Taxes, or any of their Officers, to grant or issue to any Person any stamped Certificate authorizing such Person to practise as an Attorney or Solicitor, unless nor until he shall leave with the said Commissioners, or their proper Officer, at the Head Office for Stamps and Taxes at *Somerset House* in the County of *Middlesex*, a Certificate from such Registrar as aforesaid that such Person is an Attorney or Solicitor, and entitled to take out such stamped Certificate; and the said Commissioners, or their proper Officer, shall deliver to the said Registrar, on the Sixth Day of *April* in every Year, or so soon afterwards as the said Registrar shall apply for the same, all such Registrar's Certificates under the Authority of which any stamped Certificates shall have been granted or issued since the Fifteenth Day of *November* preceding, with a Note or Memorandum endorsed or written thereon respectively by the proper Officer of the said Commissioners, stating the Date of the stamped Certificate granted or issued in respect thereof, and shall from Time to Time afterwards, whenever Application shall be made for that Purpose by the said Registrar, deliver to him all such other Registrar's Certificates under the Authority of which any stamped Certificates shall have been granted or issued upon or after the Sixth Day of *April* and before the Sixteenth Day of *November* in every Year, with a like Note or Memorandum endorsed or written thereon respectively as aforesaid.

On Application for Certificate a Declaration to be signed and entered in a Book.

XXIII. And be it enacted, That for the Purpose of obtaining such Registrar's Certificate as aforesaid a Declaration in Writing, signed by such Attorney or Solicitor or by his Partner, or in case such Attorney or Solicitor shall reside more than Twenty Miles from *London*, then by his *London* Agent on his Behalf, containing his Name and Place of Residence, and the Court or One of the Courts of which he is then admitted an Attorney or Solicitor, together with the Term and Year in or as of which he was so admitted, shall be delivered to the said Registrar, who shall cause all the Particulars in such Declaration to be entered in a proper Book to be kept for that Purpose, which shall be open to the Inspection and Examination of all Persons without Fee or Reward; and the said Registrar shall, after the Expiration of Six Days after the Delivery of such Declaration, (unless he shall see Cause and have Reason to believe that the Party applying for such Certificate is not upon the said Roll of Attornies or Solicitors,) deliver to the said Attorney or Solicitor, or to his Agent, on Demand, a Certificate in the Form set forth in the Third Schedule to this Act annexed, and which last-mentioned Certificate shall be delivered to and left with the Commissioners of Stamps and Taxes as herein-before directed.

On Registrar's Refusal, Application to be made to Court.

XXIV. And be it enacted, That in case the said Registrar shall decline to issue such Certificate as he is herein-before directed and required to give, the Party so applying for the same, if an Attorney, shall and may apply to any of the said Courts of Law at *Westminster*, or to any Judge thereof, or, if a Solicitor, to the Master of the Rolls, who are hereby respectively authorized to make such Order in the Matter as shall be just, and to order Payment of Costs by and to either of the Parties, if they shall see fit.

In case of Neglect to obtain a stamped Certificate, Application to be made to the Court or Judge.

XXV. And be it enacted, That if any Attorney or Solicitor shall neglect to procure an annual stamped Certificate authorizing him to practise as such within the Time by Law appointed for that Purpose, then and in such Case the said Registrar shall not afterwards grant a Certificate to such Attorney or Solicitor without the Order of the Master of the Rolls in the Case of a Solicitor, or of One of the Courts of Queen's Bench, Common Pleas, or Exchequer, or of One of the Judges thereof, in the Case of an Attorney, authorizing such Registrar to issue such Certificate; and it shall be lawful for the Master of the Rolls, or for such Court or Judge, to make such Order, upon such Terms and Conditions as he or they shall think fit.

Persons practising without Certificate incapable of recovering Fees.

XXVI. And be it enacted, That no Person who as an Attorney or Solicitor shall sue, prosecute, defend, or carry on any Action or Suit, or any Proceedings, in any of the Courts aforesaid, without having previously obtained a stamped Certificate which shall be then in force, shall be capable of maintaining any Action or Suit at Law or in Equity for the Recovery of any Fee, Reward, or Disbursement for or in respect of any Business, Matter, or Thing done by him as an Attorney or Solicitor as aforesaid whilst he shall have been without such Certificate as last aforesaid.

Persons duly admitted in one Court capable of practising in all other Courts, on signing the other Rolls.

XXVII. And be it enacted, That every Person who shall have been duly admitted an Attorney of any One of the Superior Courts of Law at *Westminster* shall be entitled, upon the Production of his Admission therein, or an official Certificate thereof, and that the same still continues in force, to be admitted as an Attorney in any other of the said Courts, or in any Inferior Court of Law in *England* and *Wales*, upon signing the Roll of such other Court, but not otherwise, and shall thereupon be entitled to practise as an Attorney therein in like Manner as if he had been sworn in and admitted an Attorney of such Court; provided always, that no additional Fee besides those payable by virtue of this Act shall be demanded or paid; and that every Person who shall have been duly admitted a Solicitor of the High Court of Chancery shall be entitled, upon the Production of his Admission therein, or an official Certificate thereof, and that

Persons duly admitted in

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the same still continues in force, to be admitted as a Solicitor in any Inferior Court of Equity in *England* and *Wales*, and in the Court of Bankruptcy, upon signing the Roll of such other Court, but not otherwise, and shall thereupon be entitled to practise as a Solicitor therein in like Manner as if he had been sworn in and admitted a Solicitor of such Court; provided also, that no additional Fee besides those payable by virtue of this Act shall be demanded or paid. Chancery capable of practising in Bankruptcy and in all Inferior Courts of Equity.

XXVIII. And be it enacted, That no Person who shall have duly served his Clerkship under Articles in Writing, pursuant to the Provisions of this Act, shall be prevented or disqualified from being admitted and enrolled as an Attorney or Solicitor, nor liable to be struck off the Roll if admitted, by reason or in consequence of the Attorney or Solicitor to whom he may have been bound by such Articles having been after such Service struck off the Roll; provided that such Clerk or Person be otherwise entitled to be admitted and enrolled, according to the Provisions herein-before contained. Defects in the Service, &c. of Attornies not to disqualify Persons who have served them.

XXIX. And be it enacted, That no Person who has been admitted and enrolled shall be liable to be struck off the Roll for or on account of any Defect in the Articles of Clerkship, or in the Registry thereof, or in his Service under such Articles, or in his Admission and Enrolment, unless the Application for striking him off the Roll be made within Twelve Months from the Time of his Admission and Enrolment; provided that such Articles, Registration, Service, Admission, or Enrolment be without Fraud. Applications for striking Attornies off the Roll, for Defect in Articles, &c.

XXX. And be it enacted, That, until the same shall be varied or altered pursuant to the Provision herein-after contained, the several Sums of Money mentioned in the Second Schedule to this Act annexed shall and may be taken and received for the Services and Purposes mentioned and specified therein: Provided always, that it shall be lawful to and for the Lord Chief Justice of Her Majesty's Court of Queen's Bench, the Master of the Rolls, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, (or any Three of them, of whom the Master of the Rolls shall be One,) from Time to Time to diminish or increase the said Sums or any of them, as they shall see fit, so that by such Diminution they be not reduced to less than One Half, or by such Increase be not made to exceed by more than One Half the Amount mentioned in the said Schedule; provided also, that it shall be lawful for the Lord Chief Justices and the Lord Chief Baron to make any Order or Orders for the Payment and Appropriation of the same Sums, so far as they concern the said Courts of Common Law, to such Persons and in such Manner as they shall think proper; and that it shall be lawful for the Master of the Rolls to make any Order or Orders for the Payment and Appropriation of the same Sums, so far as they concern the said High Court of Chancery, to such Persons and in such Manner as he shall think fit; and no greater or other Fees, Rewards, or Sums than herein-before mentioned or referred to shall be taken or received on any Pretence whatsoever. Fee for registering Articles and Examination and Admission, and for Entry and Certificates. Increase or Diminution of Fees. Appropriation of Fees.

XXXI. And be it enacted, That no Attorney or Solicitor who shall be a Prisoner in any Gaol or Prison, or within the Limits, Rules, or Liberties of any Gaol or Prison, shall or may, during his Confinement in any Gaol or Prison, or within the Limits, Rules, or Liberties of any Gaol or Prison, as an Attorney or Solicitor, in his own Name or in the Name of any other Attorney or Solicitor, sue out any Writ or Process, or commence or prosecute or defend any Action or Suit, in any Courts of Law or Equity, or Matter in Bankruptcy; and such Attorney or Solicitor so commencing, prosecuting, or defending any Action or Suit as aforesaid, and any Attorney or Solicitor permitting or empowering any such Attorney or Solicitor as aforesaid to commence, prosecute, or defend any Action or Suit in his Name, shall be deemed to be guilty of a Contempt of the Court in which any such Action or Suit shall have been commenced or prosecuted, and punishable by the said Courts accordingly, upon the Application of any Person complaining thereof; and such Attorney or Solicitor so commencing, prosecuting, or defending any Action or Suit as aforesaid shall be incapable of maintaining any Action or Suit at Law or in Equity for the Recovery of any Fee, Reward, or Disbursement for or in respect of any Business, Matter, or Thing done by him whilst such Prisoner as aforesaid, in his own Name or in the Name of any other Attorney or Solicitor. Attornies not to commence or defend Suits if Prisoners.

XXXII. And be it enacted, That if any Attorney or Solicitor shall wilfully and knowingly act as Agent in any Action or Suit in any Court of Law or Equity, or Matter in Bankruptcy, for any Person not duly qualified to act as an Attorney or Solicitor as aforesaid, or permit or suffer his Name to be anyways made use of in any such Action, Suit, or Matter upon the Account or for the Profit of any unqualified Person, or send any Process to such unqualified Person, or do any other Act thereby to enable such unqualified Person to appear, act, or practise in any respect as an Attorney or Solicitor in any Suit at Law or in Equity, knowing such Person not to be duly qualified as aforesaid, and Complaint shall be made thereof in a summary Way to any of the said Superior Courts wherein such Attorney or Solicitor has been admitted, and Proof made thereof upon Oath to the Satisfaction of the Court that such Attorney or Solicitor hath wilfully and knowingly offended therein as aforesaid, then and in such Case every such Attorney or Solicitor so offending shall and may be struck off the Roll, and for ever after disabled from practising as an Attorney or Solicitor; and in that Case, and upon such Complaint and Proof made as aforesaid, it shall and may be lawful to and for the said Court to commit such unqualified Person so acting or practising as aforesaid to the Prison of the said Court, without Bail or Mainprize, for any Term not exceeding One Year. Attornies not to act as Agents for Persons not qualified, &c.

XXXIII. And be it enacted, That no Attorney or Solicitor shall be capable to continue or be a Justice of the Peace for any County within that Part of *Great Britain* called *England*, or the Principality of *Wales*, during such Time as he shall continue in the Business and Practice of an Attorney or Solicitor. No Attorney or Solicitor to be a Justice.

XXXIV. Provided always, and be it enacted, That the Prohibition last herein-before contained shall not extend or be construed to extend to any City or Town being a County of itself, or to any City, Town, Cinque As to Places having Justices by Charter.

Cinque Port, or Liberty having Justices of the Peace within their respective Limits and Precincts by Charter, Commission, or otherwise, but that in every such City, Town, Liberty, and Place Attornies or Solicitors may be capable of being Justices of the Peace, and in such Manner only as they might have been if this Act had never been made, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Prohibiting Persons not enrolled from suing out Writs, &c.

XXXV. And be it enacted, That from and after the passing of this Act, in case any Person shall in his own Name or in the Name of any other Person sue out any Writ or Process, or commence, prosecute, or defend any Action or Suit or any Proceedings in any Court of Law or Equity, without being admitted and enrolled as aforesaid, or being himself the Plaintiff or Defendant in such Proceedings respectively, every such Person shall and is hereby made incapable to maintain or prosecute any Action or Suit in any Court of Law or Equity for any Fee, Reward, or Disbursements on account of prosecuting, carrying on, or defending any such Action, Suit, or Proceeding, or otherwise in relation thereto; and such Offence shall be deemed a Contempt of the Court in which such Action, Suit, or Proceeding shall have been prosecuted, carried on, or defended, and shall and may be punished accordingly.

Prohibiting Persons unqualified from acting in the County Courts.

XXXVI. And be it enacted, That in case any Person shall commence or defend any Action, or sue out any Writ, Process, or Summons, or carry on any Proceedings, in the Court commonly called the County Court holden in any County in that Part of *Great Britain* called *England* and *Wales*, who is not or shall not then be legally admitted an Attorney or Solicitor according to this Act, or shall not himself be Plaintiff or Defendant in such Proceeding respectively, such Person shall and is hereby made incapable to maintain or prosecute any Action or Suit in any Court of Law or Equity for any Fee, Reward, or Disbursement on account of prosecuting, carrying on, or defending any such Action, Suit, or Proceeding, or otherwise in relation thereto; and such Offence shall be deemed a Contempt of the Court in which such Action, Suit, or Proceeding shall have been prosecuted, carried on, or defended, and shall and may be punished accordingly.

Attornies and Solicitors not to commence an Action for Fees till One Month after Delivery of their Bills.

XXXVII. And be it enacted, That from and after the passing of this Act no Attorney or Solicitor, nor any Executor, Administrator, or Assignee of any Attorney or Solicitor, shall commence or maintain any Action or Suit for the Recovery of any Fees, Charges, or Disbursements for any Business done by such Attorney or Solicitor, until the Expiration of One Month after such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, shall have delivered unto the Party to be charged therewith, or sent by the Post to or left for him at his Counting-house, Office of Business, Dwelling House, or last known Place of Abode, a Bill of such Fees, Charges, and Disbursements, and which Bill shall either be subscribed with the proper Hand of such Attorney or Solicitor, (or, in the Case of a Partnership, by any of the Partners, either with his own Name, or with the Name or Style of such Partnership,) or of the Executor, Administrator, or Assignee of such Attorney or Solicitor, or be enclosed in or accompanied by a Letter subscribed in like Manner referring to such Bill; and upon the Application of the Party chargeable by such Bill within such Month it shall be lawful, in case the Business contained in such Bill or any Part thereof shall have been transacted in the High Court of Chancery, or in any other Court of Equity, or in any Matter of Bankruptcy or Lunacy, or in case no Part of such Business shall have been transacted in any Court of Law or Equity, for the Lord High Chancellor or the Master of the Rolls, and in case any Part of such Business shall have been transacted in any other Court, for the Courts of Queen's Bench, Common Pleas, Exchequer, Court of Common Pleas at *Lancaster*, or Court of Pleas at *Durham*, or any Judge of either of them, and they are hereby respectively required, to refer such Bill, and the Demand of such Attorney or Solicitor, Executor, Administrator, or Assignee, thereupon to be taxed and settled by the proper Officer of the Court in which such Reference shall be made, without any Money being brought into Court; and the Court or Judge making such Reference shall restrain such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, from commencing any Action or Suit touching such Demand pending such Reference; and in case no such Application as aforesaid shall be made within such Month as aforesaid, then it shall be lawful for such Reference to be made as aforesaid, either upon the Application of the Attorney or Solicitor, or the Executor, Administrator, or Assignee of the Attorney or Solicitor, whose Bill may have been so as aforesaid delivered, sent, or left, or upon the Application of the Party chargeable by such Bill, with such Directions and subject to such Conditions as the Court or Judge making such Reference shall think proper; and such Court or Judge may restrain such Attorney or Solicitor, or the Executor, Administrator, or Assignee of such Attorney or Solicitor, from commencing or prosecuting any Action or Suit touching such Demand pending such Reference, upon such Terms as shall be thought proper: Provided always, that no such Reference as aforesaid shall be directed upon an Application made by the Party chargeable with such Bill after a Verdict shall have been obtained or a Writ of Inquiry executed in any Action for the Recovery of the Demand of such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, or after the Expiration of Twelve Months after such Bill shall have been delivered, sent, or left as aforesaid, except under special Circumstances, to be proved to the Satisfaction of the Court or Judge to whom the Application for such Reference shall be made; and upon every such Reference, if either the Attorney or Solicitor, or Executor, Administrator, or Assignee of the Attorney or Solicitor, whose Bill shall have been delivered, sent, or left, or the Party chargeable with such Bill, having due Notice, shall refuse or neglect to attend such Taxation, the Officer to whom such Reference shall be made may proceed to tax and settle such Bill and Demand *ex parte*; and in case any such Reference as aforesaid shall be made upon the Application of the Party chargeable with such Bill, or upon the Application of such Attorney or Solicitor, or the Executor, Administrator, or Assignee of such Attorney or Solicitor, and the Party chargeable with such Bill shall attend upon such Taxation, the Costs of such Reference shall, except as herein-

Reference of Bills, whether relating to Business transacted in Court or not, for Taxation.

Taxation after One Month.

Taxation after Twelve Month, under special Circumstances.

Payment of Costs of Taxation.

herein-after provided for, be paid according to the Event of such Taxation; that is to say, if such Bill when taxed be less by a Sixth Part than the Bill delivered, sent, or left, then such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, shall pay such Costs; and if such Bill when taxed shall not be less by a Sixth Part than the Bill delivered, sent, or left, then the Party chargeable with such Bill, making such Application or so attending, shall pay such Costs; and every Order to be made for such Reference as aforesaid shall direct the Officer to whom such Reference shall be made to tax such Costs of such Reference to be so paid as aforesaid, and to certify what, upon such Reference, shall be found to be due to or from such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, in respect of such Bill and Demand, and of the Costs of such Reference, if payable: Provided also, that such Officer shall in all Cases be at liberty to certify specially any Circumstances relating to such Bill or Taxation, and the Court or Judge shall be at liberty to make thereupon any such Order as such Court or Judge may think right respecting the Payment of the Costs of such Taxation: Provided also, that where such Reference as aforesaid shall be made when the same is not authorized to be made except under special Circumstances, as herein-before provided, then the said Court or Judge shall be at liberty, if it shall be thought fit, to give any special Directions relative to the Costs of such Reference: Provided also, that it shall be lawful for the said respective Courts and Judges, in the same Cases in which they are respectively authorized to refer a Bill which has been so as aforesaid delivered, sent, or left, to make such Order for the Delivery by any Attorney or Solicitor, or the Executor, Administrator, or Assignee of any Attorney or Solicitor, of such Bill as aforesaid, and for the Delivery up of Deeds, Documents, or Papers in his Possession, Custody, or Power, or otherwise touching the same, in the same Manner as has heretofore been done as regards such Attorney or Solicitor, by such Courts or Judges respectively, where any such Business had been transacted in the Court in which such Order was made: Provided also, that it shall not in any Case be necessary in the first instance for such Attorney or Solicitor, or the Executor, Administrator, or Assignee of such Attorney or Solicitor, in proving a Compliance with this Act, to prove the Contents of the Bill he may have delivered, sent, or left, but it shall be sufficient to prove that a Bill of Fees, Charges, or Disbursements, subscribed in the Manner aforesaid, or enclosed in or accompanied by such Letter as aforesaid, was delivered, sent, or left in manner aforesaid; but nevertheless it shall be competent for the other Party to show that the Bill so delivered, sent, or left was not such a Bill as constituted a *bonâ fide* Compliance with this Act: Provided also, that it shall be lawful for any Judge of the Superior Courts of Law or Equity to authorize an Attorney or Solicitor to commence an Action or Suit for the Recovery of his Fees, Charges, or Disbursements against the Party chargeable therewith, although One Month shall not have expired from the Delivery of a Bill as aforesaid, on Proof to the Satisfaction of the said Judge that there is probable Cause for believing that such Party is about to quit *England*.

Courts may order Attorney or Solicitor to deliver his Bill, and to deliver up Deeds, &c.

Evidence of Delivery of Bill.

Power to Judge to authorize Action before Expiration of Month.

XXXVIII. And be it enacted, That where any Person, not the Party chargeable with any such Bill within the Meaning of the Provisions herein-before contained, shall be liable to pay or shall have paid such Bill either to the Attorney or Solicitor, his Executor, Administrator, or Assignee, or to the Party chargeable with such Bill as aforesaid, it shall be lawful for such Person, his Executor, Administrator, or Assignee, to make such Application for a Reference for the Taxation and Settlement of such Bill as the Party chargeable therewith might himself make, and the same Reference and Order shall be made thereupon, and the same Course pursued in all respects, as if such Application was made by the Party so chargeable with such Bill as aforesaid: Provided always, that in case such Application is made when, under the Provisions herein contained, a Reference is not authorized to be made except under special Circumstances, it shall be lawful for the Court or Judge to whom such Application shall be made to take into consideration any additional special Circumstances applicable to the Person making such Application, although such Circumstances might not be applicable to the Party so chargeable with the said Bill as aforesaid if he was the Party making the Application.

Bills may be taxed upon the Application of Third Parties.

XXXIX. And be it enacted, That it shall be lawful, in any Case in which a Trustee, Executor, or Administrator has become chargeable with any such Bill as aforesaid, for the Lord High Chancellor or the Master of the Rolls, if in his Discretion he shall think fit, upon the Application of a Party interested in the Property out of which such Trustee, Executor, or Administrator may have paid or be entitled to pay such Bill, to refer the same, and such Attorney's or Solicitor's, or Executor's, Administrator's, or Assignee's Demand thereupon, to be taxed and settled by the proper Officer of the High Court of Chancery, with such Directions and subject to such Conditions as such Judge shall think fit, and to make such Order as such Judge shall think fit for the Payment of what may be found due, and of the Costs of such Reference, to or by such Attorney or Solicitor, or the Executor, Administrator, or Assignee of such Attorney or Solicitor, by or to the Party making such Application, having regard to the Provisions herein contained relative to Applications for the like Purpose by the Party chargeable with such Bill, so far as the same shall be applicable to such Cases, and in exercising such Discretion as aforesaid the said Judge may take into consideration the Extent and Nature of the Interest of the Party making the Application: Provided always, that where any Money shall be so directed to be paid by such Attorney or Solicitor, or the Executor, Administrator, or Assignee of such Attorney or Solicitor, it shall be lawful for such Judge, if he shall think fit, to order the same, or any Part thereof, to be paid to such Trustee, Executor, or Administrator so chargeable with such Bill, instead of being paid to the Party making such Application; and when the Party making such Application shall pay any Money to such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, in respect of such Bill, he shall have the same Right to be paid by such Trustee, Executor, or Administrator so chargeable with such Bill as such Attorney or Solicitor, or Executor, Administrator, or Assignee of such Attorney or Solicitor, had.

Lord Chancellor may direct Taxation of Bills chargeable on Executors, &c.

XL. And

Copy of Bill to be delivered to Person applying for Taxation.

No Re-taxation.

XL. And be it enacted, That for the Purpose of any such Reference upon the Application of the Person not being the Party chargeable within the Meaning of the Provisions of this Act as aforesaid, or of a Party interested as aforesaid, it shall be lawful for such Court or Judge to order any such Attorney or Solicitor, or the Executor, Administrator, or Assignee of any such Attorney or Solicitor, to deliver to the Party making such Application a Copy of such Bill, upon Payment of the Costs of such Copy: Provided always, that no Bill which shall have been previously taxed and settled shall be again referred unless, under special Circumstances, the Court or Judge to whom such Application is made shall think fit to direct a Re-taxation thereof.

Taxation of Bill after Payment.

XLI. And be it enacted, That the Payment of any such Bill as aforesaid shall in no Case preclude the Court or Judge to whom Application shall be made from referring such Bill for Taxation, if the special Circumstances of the Case shall in the Opinion of such Court or Judge appear to require the same, upon such Terms and Conditions and subject to such Directions as to such Court or Judge shall seem right, provided the Application for such Reference be made within Twelve Calendar Months after Payment.

Power for Taxing Officer to request Officers of other Courts to tax Portions of the Bill.

XLII. And be it enacted, That in all Cases in which such Bill shall have been referred to be taxed and settled, the Officer to whom such Reference is made shall be at liberty to request the proper Officer of any other Court having such an Officer to assist him in taxing and settling any Part of such Bill, and such Officer so requested shall thereupon proceed to tax and settle the same, and shall have the same Powers, and may receive the same Fees in respect thereof, as upon a Reference to him by the Court of which he is such Officer, and shall return the same, with his Opinion thereon, to the Officer who shall have so requested him to tax and settle the same; and the Officer to whom such Reference is made shall not be paid any Fee for that Portion of the Bill which shall have been so taxed and settled by the Officer of such other Court at his Request.

Applications for taxing, &c. how to be made.

Certificate of Taxation to be final.

Judgment may be entered.

XLIII. And be it enacted, That all Applications made under this Act to refer any such Bill as aforesaid to be taxed and settled, and for the Delivery of such Bill, and for the delivering up of Deeds, Documents, and Papers, shall be made in the Matter of such Attorney or Solicitor; and that upon the Taxation and Settlement of any such Bill the Certificate of the Officer by whom such Bill shall be taxed shall (unless set aside or altered by Order, Decree, or Rule of Court,) be final and conclusive as to the Amount thereof, and Payment of the Amount certified to be due and directed to be paid may be enforced according to the Course of the Court in which such Reference shall be made; and in case such Reference shall be made in any Court of Common Law, it shall be lawful for such Court or any Judge thereof to order Judgment to be entered up for such Amount, with Costs, unless the Retainer shall be disputed, or to make such other Order thereon as such Court or Judge shall deem proper.

Persons having completed the Period of Service, but not been admitted, may, if qualified, be admitted.

XLIV. And be it enacted, That every Person who at the Time of the passing of this Act shall have completed his Period of Service according to the Laws in force at the Time of the passing of this Act, but shall not have been admitted an Attorney or Solicitor in pursuance of such Service, shall, if otherwise qualified, be capable of being admtited and enrolled an Attorney or Solicitor, in pursuance of the Provisions of this Act, in the same Manner in all respects as if he was actually bound by Contract in Writing at the Time of the passing of this Act.

Attornies, &c. of Duchy of Lancaster at Westminster, &c. to be enrolled as Attornies of Chancery, &c. without Examination, on Payment of Duty.

Until Attornies of Lancaster and Durham are admitted in Superior Courts, Attornies may act as their Agents.

XLV. And be it enacted, That all Persons who previously to the First Day of *January* One thousand eight hundred and forty-three shall have been duly admitted and enrolled Attornies or Solicitors of any of the Courts of Law or Equity at *Westminster*, or of the Courts of the Duchy Chamber of *Lancaster* at *Westminster*, or of the Courts of the Counties Palatine of *Lancaster* and *Durham*, or either of them, shall and may be admitted and enrolled Attornies and Solicitors in the said High Court of Chancery, or all or any of the said Courts of Queen's Bench, Common Pleas, or Exchequer at *Westminster*, in pursuance of the Provisions of this Act, without Examination, upon Payment of such Duty as by Law required: Provided always, that upon such Admission being duly perfected such Persons shall be considered to have been Attornies and Solicitors of such Court in which they shall be so admitted from the Date of their first Admission into any other of the said Courts, provided that such Admission be perfected on or before the First Day of *Michaelmas* Term One thousand eight hundred and forty-four; and provided also, that until such Attornies and Solicitors of the said Courts of the Duchy Chamber of *Lancaster* at *Westminster*, or of the said Courts of the Counties Palatine of *Lancaster* and *Durham*, or either of them, shall be admitted and enrolled in the said High Court of Chancery, or in all or any of the said Courts of Queen's Bench, Common Pleas, or Exchequer at *Westminster*, it shall be lawful for any Attornies or Solicitors to act as their Agents in any Action, Suit, or other Proceeding in the said Courts of the Duchy Chamber of *Lancaster* at *Westminster*, or of the Counties Palatine of *Lancaster* and *Durham*.

To what Clerks the Act not to extend.

XLVI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to the Examination, Swearing, Admission, or Enrolment of the Clerks of the Petty Bag Office or of the Clerks of the Queen's Coroner and Attorney in the Court of Queen's Bench for the Time being, but that the said Clerks respectively shall and may be examined, sworn, admitted, and practise in their respective Courts and Offices in like Manner as they might have been or done before the making of this Act.

To what Solicitors the Act is not to extend.

XLVII. Provided always, and be it enacted, That this Act or any thing herein contained shall not extend or be construed to extend to the Examination, Swearing, Admission, or Enrolment, or any Rights or Privileges of any Persons appointed to be Solicitors of the Treasury, Customs, Excise, Post Office, Stamp Duties, or any other Branch of Her Majesty's Revenue, or to the Solicitor of the City of *London*, or to the Assistant of the Council for the Affairs of the Admiralty or Navy, or to the Solicitor to the Board of Ordnance.

XLVIII. And

XLVIII. And be it enacted, That in the Construction of this Act the Word "Month" shall be taken to mean a Calendar Month; and every Word importing the Singular Number only shall extend and be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing, as well as several Persons, Matters, or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Person" shall extend to any Body Politic, Corporate, or Collegiate, Municipal, Civil, or Ecclesiastical, Aggregate or Sole, as well as an Individual; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction. Meaning of certain Words in this Act.

XLIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament. Act may be amended, &c.

SCHEDULES to which the foregoing Act refers.

The FIRST SCHEDULE.

The FIRST PART;

CONTAINING

A DESCRIPTION of the ACTS and PARTS of ACTS REPEALED by this ACT.

Date of Act.	Title.	Extent of Repeal.
15 Edw. II. c. 1. -	An Act concerning the Acknowledgment of Fines, and admitting Attornies.	So much as relates to regulating the Admission of Attornies.
4 Hen. IV. c. 18.	An Act for regulating Attornies - -	The whole.
4 Hen. IV. c. 19.	An Act for providing that no Officer of a Lord of a Franchise shall be Attorney within the same.	The whole.
1 Hen. V. c. 4. -	An Act as to Sheriffs, Bailiffs, &c. - -	So much as provides that no Under Sheriff shall be Attorney in the King's Courts during the Time he is in office.
18 Hen. VI. c. 9.	An Act touching filing Warrants of Attorney -	The whole.
33 Hen. VI. c. 7.	An Act for regulating the Number of Attornies in Norfolk, Suffolk, and Norwich.	The whole.
32 Hen. VIII. c. 30.	An Act concerning Mispleading, Jeofails, and Attorney.	So much as relates to entering Warrants of Attorney.
18 Eliz. c. 14. s. 3.	An Act for Reformation of Jeofails - -	So much as relates to filing Warrants of Attorney.
3 James I. c. 7. -	An Act to reform the Multitudes and Misdemeanors of Attornies and Solicitors at Law, and to avoid unnecessary Suits and Charges in Law.	The whole.
4 & 5 Anne, c. 16.	An Act for the Amendment of the Law, and the better Advancement of Justice.	So much as relates to the filing Warrants of Attorney.
2 Geo. II. c. 23. -	An Act for the better Regulation of Attornies and Solicitors.	The whole.
5 Geo. II. c. 18. -	An Act for the further Qualification of Justices of the Peace.	So much as excludes Attornies and Solicitors from acting as Justices of the Peace.
6 Geo. II. c. 27. -	An Act to explain and amend an Act made in the Second Year of His present Majesty's Reign, intituled "An Act for the better Regulation of Attornies and Solicitors."	The whole.
12 Geo. II. c. 13.	An Act for continuing an Act made in the Eighth Year of Her late Majesty Queen Anne, to regulate the Price and Assize of Bread; and for continuing, explaining, and amending the Act made in the Second Year of the Reign of His present Majesty, for the better Regulation of Attornies and Solicitors.	So much as relates to Attornies and Solicitors.
22 Geo. II. c. 46.	An Act to continue several Laws for preventing Exactions of the Occupiers of Locks and Weirs upon the River Thames Westward, and for ascertaining the Rates of Water Carriage upon the said River; and for continuing, ex-	So much as relates to Attornies and Solicitors.

Date of Act.	Title.	Extent of Repeal.
	plaining, and amending the several Laws for the better Regulation of Attornies and Solicitors, and for the regulating the Price and Assize of Bread, and for preventing the spreading of the Distemper amongst horned Cattle; and also for making further Regulations with respect to Attornies and Solicitors, and further preventing the spreading of the Distemper amongst horned Cattle, and for the more frequent Return of Writs in the Counties Palatine of Chester and Lancaster; and for ascertaining the Method of levying Writs of Execution against the Inhabitants of Hundreds; and for allowing Quakers to make Affirmation where an Oath is or shall be required.	
23 Geo. II. c. 26.	An Act to continue several Laws for the better Regulation of Pilots, for the conducting of Ships and Vessels from Dover, Deal, and Isle of Thanet, up the River Thames and Medway; and for permitting Rum and Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon; and to continue and amend an Act for the preventing Frauds in the Admeasurement of Coals in the City and Liberty of Westminster, and several Parishes near thereunto; and to continue several Laws for preventing Exactions of Occupiers of Locks and Weirs upon the River Thames Westward, and for ascertaining the Rates of Water Carriage upon the said River; and for the better regulating and Government of Seamen in the Merchant Service; and also to amend so much of an Act made in the First Year of the Reign of King George the First as relates to the better Preservation of Salmon in the River Ribble; and to regulate Fees in Trials at Assizes in Nisi Prius upon Records issuing out of the Office of Pleas of the Court of Exchequer; and for the apprehending of Persons in any County or Place upon Warrants granted by Justices of the Peace in any other County or Place; and to repeal so much of an Act made in the Twelfth Year of the Reign of King Charles the Second as relates to the Time during which the Office of the Excise is to be kept upon each Day, and to appoint for how long Time the same shall be kept open upon each Day for the future; and to prevent the stealing and destroying of Turnips; and to amend an Act made in the Second Year of His present Majesty, for the better Regulation of Attornies and Solicitors.	So much as relates to Attornies and Solicitors.
30 Geo. III. c. 19.	An Act for granting to His Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon Newspapers, Advertisements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying, from a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of Three Millions by	So much as enacts that the said Act made in the Second Year of His said Majesty's Reign, intituled "An Act for the better Regulation of Attornies and Solicitors," should be continued and made perpetual.

Date of Act.	Title.	Extent of Repeal.
	Annuities, to be charged on the said Rates, Duties, and Sums of Money; and for making perpetual an Act made in the Second Year of the Reign of His present Majesty, intituled "An Act for the better Regulation of Attornies and Solicitors;" and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors, and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.	
37 Geo. III. c. 90.	An Act for granting to His Majesty certain Stamp Duties on the several Matters therein mentioned, and for better securing the Duties on Certificates to be taken out by Solicitors, Attornies, and others.	So much as renders every Person admitted an Attorney or Solicitor in any of the Courts therein mentioned or referred to, who shall neglect for One whole Year to obtain such Certificate as therein mentioned, incapable of practising, and directs that the Admission of such Person in any of the Courts shall be null and void; and so much as enacts that every Certificate to be obtained under the same Act shall be entered in One of the Courts in which the Person described therein shall be admitted, enrolled, sworn, or registered.
1 & 2 Geo. IV. c. 48.	An Act to amend the several Acts for the Regulation of Attornies and Solicitors.	The whole, except so far as the Attornies and Solicitors of Ireland are affected thereby.
3 Geo. IV. c. 16.	An Act to amend an Act made in the last Session of Parliament for amending the several Acts for the Regulation of Attornies and Solicitors.	The whole, except so far as the Attornies and Solicitors of Ireland are affected thereby.
1 & 2 W. IV. c. 56.	An Act to establish a Court of Bankruptcy -	So much as relates to the Admission and practising of Attornies and Solicitors in the said Courts.
5 & 6 W. IV. c. 11.	An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-six; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indenture of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of Hilary Term One thousand eight hundred and thirty-six; and to allow Persons to make and file such Affidavits although the Persons whom they served shall have neglected to take out their annual Certificates.	So much as relates to the Service of any Clerk and his Admission and Enrolment as an Attorney or Solicitor, or as to striking any Person off the Roll.
6 & 7 W. IV. c. 7.	An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-seven; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make	So much as relates to striking any Attorney or Solicitor off the Roll.

Date of Act.	Title.	Extent of Repeal.
	and file the same on or before the First Day of Hilary Term One thousand eight hundred and thirty-seven; and to allow Persons to make and file such Affidavits although the Persons whom they served shall have neglected to take out their annual Certificates.	
1 Vict. c. 56. -	An Act for amending the several Acts for the Regulation of Attornies and Solicitors.	The whole.
1 & 2 Vict. c. 45.	An Act to extend the Jurisdiction of the Superior Courts of Common Law; to amend Chapter Fifty-six of the First Year of Her present Majesty's Reign, for regulating the Admission of Attornies; and to provide for the taking of Special Bail in the Absence of the Judges.	So much as relates to the Admission and practising of Attornies and Solicitors
7 Will. IV. c. 12.	An Act to indemnify, &c. - - -	So much as relates to striking any Attorney or Solicitor off the Roll.
1 Vict. c. 16.	Ditto - - - - -	
2 & 3 Vict. c. 33.	Ditto - - - -	
3 Vict. c. 16. -	Ditto - - - -	
4 Vict. c. 11.	Ditto - - - -	
5 Vict. Sess. 2. c. 10.	Ditto - - - -	
6 Vict. c. 9. -	Ditto - - - -	

The SECOND PART;

CONTAINING

A DESCRIPTION of the ACTS and PARTS of ACTS NOT REPEALED by this ACT.

Date of Act.	Title.	Extent of Saving.
20 Hen. III. c. 10.	An Act for allowing Attornies to make Suits to several Courts.	The whole.
3 Edw. I. c. 25. -	An Act against Champerty - - -	The whole.
3 Edw. I. c. 29. -	An Act inflicting Penalty upon a Serjeant or Pleader committing Deceit.	The whole.
3 Edw. I. c. 33. -	An Act against Maintainers of Quarrels being suffered.	The whole.
3 Edw. I. c. 42. -	An Act, viz. certain Actions wherein after Appearance the Tenant shall not be essoined, but may make his Attorney.	The whole.
6 Edw. I. c. 8. -	An Act, amongst other things, that Attornies may be made where an Appeal lieth not.	The whole.
13 Edw. I. c. 10. -	An Act authorizing Persons to make General Attornies in all Pleas for or against them.	The whole.
13 Edw. I. c. 49.	An Act inflicting Penalty for buying the Title of Land depending in Suit, and a Remedy for Suits where the Law fails.	The whole.
28 Edw. I. c. 11. -	An Act that nothing shall be taken to maintain any Action in Suit.	The whole.
12 Edw. II. c. 1. -	An Act that Tenants in Assize of Novel Disseisin may make Attornies.	The whole.
15 Edw. II. c. 1. -	An Act concerning the Acknowledgment of Fines and admitting Attornies.	So much as does not relate to Attornies.
7 Rich. II. c. 14. -	An Act that they which shall depart the Realm by the King's Licence may make General Attornies.	The whole.
7 Hen. IV. c. 13.	An Act that impotent Persons that be outlawed may make Attornies.	The whole.
1 Hen. V. c. 4. -	An Act that Sheriffs Bailiffs shall not be in the same Office in Three Years after; Sheriffs Officers shall not be Attornies.	So much as does not relate to Attornies.

Date of Act.	Title.	Extent of Saving.
15 Hen. VI .c. 7.	An Act that all Persons, religious and secular, may make their General Attornies to sue or plead for them in every Hundred and Wapentake.	The whole.
3 Hen. VII. c. 1. -	An Act as to the Authority of the Court of Star Chamber where one Inquest shall inquire of the Concealment of another; a Coroner's Duty after a Murder committed; a Justice of Peace shall certify his Recognizances.	The whole.
18 Eliz. c. 5. -	An Act to redress Disorders in Common Informers.	The whole.
18 Eliz. c. 14. -	An Act for Reformation of Jeofails - -	The whole, except so much as relates to Attornies filing Warrants of Attorney.
29 Eliz. c. 5. -	An Act for the Continuance and perfecting of divers Statutes.	The whole.
31 Eliz. c. 10. -	An Act for the Continuance of divers Statutes -	The whole.
4 & 5 Anne, c. 16.	An Act for the Amendment of the Law and the better Advancement of Justice.	The whole, except so much as relates to Attornies filing Warrants of Attorney.
12 Geo. I. c. 29. -	An Act to prevent frivolous and vexatious Arrests.	The whole.
5 Geo. II. c. 18. -	An Act for the further Qualification of Justices of the Peace.	The whole, except so much as relates to incapacitating Attornies, Solicitors, and Proctors from being Justices of the Peace.
12 Geo. II. c. 13.	An Act for continuing an Act made in the Eighth Year of Her late Majesty Queen Anne, to regulate the Price and Assize of Bread, and for continuing, explaining, and amending the Act made in the Second Year of the Reign of His present Majesty, for the better Regulation of Attornies and Solicitors.	The whole, except so much as relates to Attornies and Solicitors.
22 Geo. II. c. 46.	An Act to continue several Laws for preventing Exactions of the Occupiers of Locks and Weirs upon the River Thames Westward, &c., and for amending the several Laws for the better Regulation of Attornies and Solicitors, and for the regulating the Price and Assize of Bread, and for preventing the spreading of the Distemper amongst horned Cattle, &c.	The whole, except so much as relates to Attornies and Solicitors.
23 Geo. II. c. 26.	An Act to continue several Laws, for the better Regulation of Pilots, &c., and for permitting Rum and Spirits of the British Sugar Plantations to be landed before the Duties of Excise are paid thereon; and to continue and amend an Act for the preventing Frauds in the Admeasurement of Coals, &c.; and to continue several Laws, for preventing Exactions of Occupiers of Locks and Weirs, &c., and to regulate Fees in Trials and Assizes in Nisi Prius, upon Records issuing out of the Office of Pleas of the Court of Exchequer, &c.; and to amend an Act made in the Second Year of His present Majesty, for the better Regulation of Attornies and Solicitors.	The whole, except so much as relates to Attornies and Solicitors.
19 Geo. III. c. 68.	An Act for explaining, amending, and rendering more effectual an Act passed in the Twenty-third Year of the Reign of His late Majesty King George the Second, for the more easy and speedy Recovery of Small Debts within the Tower Hamlets.	The whole.

Date of Act.	Title.	Extent of Saving.
23 Geo. III. c. 33.	An Act for preventing Delays and Expences in the County Court of Middlesex, and for the more easy and speedy Recovery of Small Debts in the said County Court.	The whole.
24 Geo. III. c. 42. (Local.)	An Act to explain and amend an Act passed in the last Session of Parliament, intituled "An Act for the more easy and speedy Recovery of Small Debts within the City and Liberty of Westminster and that Part of the Duchy of Lancaster which adjoineth thereto," and for making the said Act more effectual.	The whole.
25 Geo. III. c 80.	An Act for granting to His Majesty certain Duties on Certificates to be taken out by Solicitors, Attornies, and others practising in certain Courts of Justice in Great Britain, and certain other Duties with respect to Warrants, Mandates, and Authorities to be entered or filed of Record, as therein mentioned.	The whole.
30 Geo. III. c. 19.	An Act for granting to His Majesty several Rates and Duties upon Indentures, &c., and for making perpetual an Act made in the Second Year of the Reign of His present Majesty, intituled "An Act for the better Regulation of Attornies and Solicitors, and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors, and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices."	The whole, except so much as enacts that the said Act made in the Second Year of His said Majesty's Reign, intituled "An Act for the better Regulation of Attornies and Solicitors," should be continued and made perpetual.
34 Geo. III. c. 14.	An Act for granting to His Majesty certain Stamp Duties on Indentures of Clerkships to Solicitors and Attornies in any of the Courts in England therein mentioned.	The whole.
37 Geo. III. c. 90.	An Act for granting to His Majesty certain Stamp Duties.	The whole, except so much as renders every Person admitted an Attorney or Solicitor in any of the Courts therein mentioned or referred to, who shall neglect for One whole Year to obtain such Certificate as therein mentioned, incapable of practising, and directs that the Admission of such Person in any of the Courts shall be null and void; and except so much as enacts that every Certificate to be obtained under the same Act shall be entered in One of the Courts in which the Person described therein shall be admitted, enrolled, sworn, or registered.
39 & 40 Geo. III. c. 104. (Local.)	An Act to explain, amend, and render more effectual an Act passed in the Third Year of the Reign of King James the First, intituled "An Act for the recovering of Small Debts in London," and an Act passed in the Fourteenth Year of the Reign of His late Majesty King George the Second, to explain and amend the above-mentioned Act; and likewise for extending the Powers of the Court of Requests in the City of London in and by the said Two several Acts continued and established.	The whole.

Date of Act.	Title.	Extent of Saving.
44 Geo. III. c. 59.	An Act to indemnify Solicitors, Attornies, and others who have neglected to enter Certificates within the Time limited by an Act made in the Thirty-seventh Year of His present Majesty, and to amend so much of the said Act as relates to the entering such Certificates.	The whole.
44 Geo. III. c. 98.	An Act to repeal the several Duties under the Commissioners for managing the Duties upon stamped Vellum, Parchment, and Paper in Great Britain, and to grant new and additional Duties in lieu thereof.	The whole.
49 Geo. III. c. 28.	An Act to enable the Clerks of the King's Coroner and Attorney in the Court of King's Bench to be admitted as Attornies.	The whole.
52 Geo. III. c. 63.	An Act for more effectually preventing the Embezzlement of Securities for Money and other Effects left or deposited for safe Custody or other special Purpose in the Hands of Bankers, Merchants, Brokers, Attornies, or other Agents.	The whole.
54 Geo. III. c. 144.	An Act for better securing the Stamp Duties on Sea Insurances made in London, and for altering the Period for taking out Stamp Office Certificates by Attornies and others in England.	The whole.
55 Geo. III. c. 184.	An Act for repealing the Stamp Duty on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies and Successions to Personal Estate upon Intestacies now payable in Great Britain; and for granting other Duties in lieu thereof.	The whole.
1 & 2 Geo. IV. c. 48.	An Act to amend the several Acts for the Regulation of Attornies and Solicitors.	So far as the Attornies and Solicitors of Ireland are affected thereby.
3 Geo. IV. c. 16.	An Act to amend an Act made in the last Session of Parliament, for amending the several Acts for the Regulation of Attornies and Solicitors.	
6 Geo. IV. c. 16.	An Act to amend the Laws relating to Bankrupts.	The whole.
7 & 8 Geo. IV. c. 29.	An Act for consolidating and amending the Laws in England relative to Larceny and other Offences connected therewith.	The whole.
9 Geo. IV. c. 25.	An Act to authorize the Appointment of Persons to act as Solicitors on behalf of His Majesty in any Court or Jurisdiction in Revenue Matters.	The whole.
11 Geo. IV. and 1 W. IV. c. 70.	An Act for the more effectual Administration of Justice in England and Wales.	The whole.
1 & 2 W. IV. c. 56.	An Act to establish a Court of Bankruptcy.	The whole, except so much as relates to the Admission and practising of Attornies and Solicitors in the said Court.
5 & 6 W. IV. c. 11.	An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and thirty-six; to permit such Persons in Great Britain as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of Hilary Term One thousand eight hundred and thirty-six; and to allow Persons to make and file	The whole, except so much as relates to the Service of any Clerk, and his Admission and Enrolment as an Attorney or Solicitor, or as to striking any Attorney off the Roll.

Date of Act.	Title.	Extent of Saving.
	such Affidavits, although the Persons whom they served shall have neglected to take out their annual Certificates.	
6 & 7 W. IV. c. 7.	The like	The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
1 & 2 Vict. c. 45.	An Act to extend the Jurisdiction of the Superior Courts of Common Law; to amend Chapter Fifty-six of the First Year of Her present Majesty's Reign, for regulating the Admission of Attornies; and to provide for the taking of Special Bail in the Absence of the Judges.	The whole, except so much as relates to the Admission and practising of Attornies and Solicitors.
3 & 4 Vict. c. 16.	An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of March One thousand eight hundred and forty-one; and for the Relief of Clerks to Attornies and Solicitors in certain Cases.	The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
7 W. IV. c. 12.	An Act to indemnify, &c.	The whole, except so much as relates to striking any Attorney or Solicitor off the Roll.
1 Vict. c. 16.	Ditto	
2 & 3 Vict. c. 33.	Ditto	
3 Vict. c. 16.	Ditto	
4 Vict. c. 11.	Ditto	
5 Vict. Sess. 2. c. 10.	Ditto	
6 Vict. c. 9.	Ditto	

The SECOND SCHEDULE.

Persons entitled to receive the Fees.	Duties to be performed.	Amount of Fees in each Case. £	s.	d.
The Person appointed for that Purpose under Sections 8. 11. 20.	On filing every Affidavit of Execution of Articles of Clerkship, entering Affidavit, and making the Endorsements required by the Act	0	5	0
The Incorporated Law Society	On leaving Articles and Assignments for Inspection, and Inquiry as to due Service previous to Examination for Admission in the Courts at Westminster	0	10	0
The Incorporated Law Society	For the Examination and Certificate of Fitness and Capacity for Admission in the Courts at Westminster	2	2	0
The Officer appointed for that Purpose under Sections 8. 11. 20.	Search for and Delivery of Affidavit of Execution of Articles, to be produced on applying for Admission	0	2	6
The Clerk of the Judge granting the Fiat	For Fiat at Common Law	1	1	0
The Crier	For the Oath	0	1	0
The Usher	On signing the Roll	0	5	0
The Master's Clerk	For Certificate of Enrolment in any of the Courts at Westminster	0	10	0
The Officer appointed by the Master of the Rolls.	For Admission at the Rolls, including the Fees of the Clerk at the Petty Bag Office, Usher, and Porter	1	17	0
The Officer appointed by the Court of Bankruptcy.	For Admission in the Court of Bankruptcy	0	6	0
The Registrar of Attornies and Solicitors.	Preparing and keeping an Alphabetical Roll of all the Attornies of the Courts of Law and Solicitors in Equity, and for issuing each Certificate	0	1	6

The THIRD SCHEDULE.

FORM of REGISTRAR'S CERTIFICATE.

PURSUANT to an Act made and passed in the Year of the Reign of Queen Victoria, intituled "An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales," I *A.B.*, Registrar of Attornies and Solicitors, appointed under the said Act, [*or* I *C.D.* of the Society of Attornies, Solicitors, Proctors, and others, not being Barristers, practising in the Courts of Law and Equity of the United Kingdom, authorized to perform the Duties of the Office of Registrar of Attornies and Solicitors under the said Act,] do hereby certify, That *E.F.* of hath this Day delivered and left with me a Declaration in Writing, signed by the said *E.F.* [*or* by *G.H.*, his Partner, *or* by *I.K.*, his London Agent, on his Behalf], containing his Name and Place of Residence, and the Court or one of the Courts of which he is admitted an Attorney or Solicitor, together with the Term and Year in or as of which he was so admitted: And I do further certify, that the said *E.F.* is duly enrolled an Attorney in the Court of and a Solicitor in the High Court of Chancery, and is entitled to take out a stamped Certificate authorizing him to practise as an Attorney and Solicitor. In witness whereof I have this Day of in the Year set my Hand hereunto. See Sect. 23. of this Act.

(Signed)

To the Commissioners of Stamps and Taxes.

A stamped Certificate was issued to the above-named *E.F.* the Day of in the Year

(Signed)

CAP. LXXIV.

An Act to amend and continue for Two Years, and to the End of the then next Session of Parliament, the Laws in *Ireland* relative to the registering of Arms, and the Importation, Manufacture, and Sale of Arms, Gunpowder, and Ammunition. [22d *August* 1843.]

'WHEREAS it has been found necessary to prevent improper Persons from having Arms in *Ireland*, 'and divers Enactments have from Time to Time been made for that Purpose, and also to regulate 'the Importation, Manufacture, and Sale of Arms, Gunpowder, and Ammunition within that Part of the 'United Kingdom: And whereas it is expedient to amend the said Enactments, and to make further 'Provision for the like Purposes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, Twenty-one clear Days before the Commencement of the General Sessions of the Peace to be held next after the Commencement of this Act for each County, County of a City, or County of a Town in *Ireland*, every Person residing within such County, County of a City, or County of a Town, desirous of keeping or then having any Arms, whether registered according to the Provisions of any Act theretofore in force or not, shall deliver or cause to be delivered to the Clerk of the Justices at Petty Sessions for the District wherein such Person shall reside an Application in Writing in the Form (A.) in the Schedule to this Act annexed, signed by such Person, specifying, if such Person shall be resident in a County at large, and not within a City, Town, or Borough, the Parish, Barony, or Townland, or, if such Person shall be resident in a City, Town, or Borough, the Parish and Street in which he shall be then resident, and the particular Place or Places within such Barony, Parish, or Street where he usually keeps or intends to keep Arms, and the Number and Description of such Arms; and every such Clerk of Petty Sessions shall, at the Time of the Receipt of each Application which shall be delivered to him under the Provisions of this Act, endorse thereon the Date of the Receipt thereof, and also make an Entry thereof in a Book or Books to be by him provided for that Purpose, and which Book or Books shall be kept by him, and be open at all seasonable Times to the Inspection of every Justice of the Peace, and Provincial Inspector and County Inspector and Sub-Inspector of the Constabulary Force for such County or Place, and from which every such Justice, or Provincial or County Inspector or Sub-Inspector, shall be at liberty to make from Time to Time such Extracts as he may deem fit; and each such Clerk of Petty Sessions shall, Fourteen clear Days before the Commencement of the said General Sessions, transmit all such Applications as shall have been so received by him to the acting Clerk of the Peace for such County or Place; and such Clerk of the Peace shall, Ten clear Days before the Commencement of such Sessions, make out a List of all such Applications; and it shall not be lawful for the Justices at such Sessions to grant any Licence to keep Arms under the Provisions herein-after contained, except in a Case where an Application shall have been so delivered or transmitted within such Times respectively as aforesaid.

Licences to keep Arms how to be applied for.

Clerk of Petty Sessions, on Receipt of Applications, shall enter them in a Book, which shall be open to Inspection of Justices, &c.;andtransmit them to Clerk of the Peace, who shall make a List thereof.

II. Provided always, and be it enacted, That all Applications for Licences to keep Arms by Persons resident in any County at large shall be considered at a General Sessions, or some Adjournment thereof, holden in the same Division of the County wherein the Applicant resides; and that the Chairman of the County of *Dublin*, and the Assistant Barrister in each other County, except the County of *Cork*, and the High Sheriff of that County, and the Two Assistant Barristers for the Ridings thereof, and the Clerk of the Peace of the said County of *Cork*, shall, when from Time to Time fixing and appointing the Times or Days for commencing and holding the several General or Quarter Sessions in their Counties or the Ridings thereof respectively, appoint One or more Day or Days during each such Sessions for the Consideration

Applications for Licences to be considered at the Sessions for the Division where the Applicant resides.

Special Days and Hours to be

appointed for hearing Applications at each Session.

sideration of Applications for Licences to keep Arms, and also appoint the Hour or Hours and Place or Places at which on such Day or Days such Business is to commence; and the respective Clerks of the Peace for the several Counties shall specify and distinguish the Times and Places so appointed for the Consideration of such Applications for Licences to keep Arms during each Session in the Notices which they are now by Law required to give of the Times and Places when and whereat each such Session will be holden: Provided also, that all such Applications as shall be made under the Provisions of this Act at any Sessions to be holden after the Commencement of this Act, and before the Time by Law appointed for fixing and appointing the Times or Days for commencing or holding the said several General or Quarter Sessions, shall and may be considered on the Days appointed for the Consideration of Applications for Licences to keep Arms during such Sessions pursuant to the Laws now in force: Provided also, that, if the Day or Days so appointed or which may be at any Time hereafter appointed for the Consideration of such Applications shall be insufficient for that Purpose, it shall and may be lawful for the Justices at any such Sessions to appoint additional Days during such Sessions for the Consideration of such Applications; and it shall and may be lawful for the Justices at any such Sessions to adjourn such Sessions from Time to Time, and from any one Town appointed for holding Sessions in any Division or Riding of a County to any other of such Towns in the same Division or Riding as may be convenient or necessary, for the Consideration of such Applications; and it shall and may be lawful for the Justices on the said additional Days or at such adjourned Sessions to decide on all Applications for Licences to keep Arms, and to grant the same, in like Manner as if the same had been considered on the Days and Times and at the Place or Places specially appointed for considering the same.

Applications previous to such fixing of Days to be made pursuant to Laws now in force.

Justices may appoint additional Days, and adjourn any Sessions from Time to Time and from Place to Place.

Licences how to be granted.

III. And be it enacted, That every such Application so delivered shall be produced by the Clerk of the Peace, and read aloud in open Court at the said General Sessions; and the Justices then present shall inquire into the Fitness of the Applicant to be licensed under this Act, and may examine him upon Oath, if present, or any other Person who can testify as to the Matter; and if such Justices, or the Majority of them, shall consider the Person by whom or on whose Behalf such Application shall be made to be a fit and proper Person to be licensed under this Act, such Justices shall thereupon make an Order for granting to such Person a Licence to keep Arms; and every such Licence shall be in the Form (B.) in the Schedule to this Act annexed, and shall specify the Number and Description of Arms the keeping of which such Licence is to authorize, and the Letters and Number to be marked on such Arms, as herein-after provided, and the Place or Places at which such Arms are to be kept, and shall be signed by Two or more of the Justices making such Order, and countersigned by the Clerk of the Peace, and delivered to the Applicant by such Clerk of the Peace, when registered by him, as herein-after provided, without Fee or Reward upon any Pretence whatsoever; and on the Back of every such Licence an Abstract or Summary of the Duties or Obligations by this Act imposed or required of Persons licensed to keep Arms, and showing the Penalties attendant on the Infraction thereof, to be prepared under the Direction of the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall be printed in such Manner and Form as such Chief or Under Secretary shall direct.

Persons already licensed, applying within 21 Days of Commencement of Act, to be licensed without Inquiry, unless Notice of Inquiry shall have been served upon him.

IV. Provided always, and be it enacted, That every Person duly licensed to keep Arms pursuant to the Provisions of the Acts now in force, and who shall have delivered or caused to be delivered an Application for a Licence to keep Arms under this Act, to be granted at the General Sessions of the Peace to be held Twenty-one clear Days next after the Commencement of this Act, shall be deemed and taken, without further Inquiry or Examination, to be a fit and proper Person to be licensed under this Act, unless a Notice in Writing shall, Five Days at least previous to the Commencement of such Sessions, have been served on such Person, or left at his Dwelling House or usual Place of Abode, signed by the County Inspector or a Sub-Inspector or Head Constable of the said Constabulary Force for the County or Place wherein such Person shall reside, requiring such Person to attend at such Sessions for the Purpose of such Inquiry or Examination.

Licences to be registered.

V. And be it enacted, That the Clerk of the Peace acting in and for each County or Place shall, for the Purposes of this Act, keep a Book for every Barony or Half Barony in the Case of a County at large, and for each Parish in the Case of a City, Town, or Borough, in which Book or Books the Name in alphabetical Order and the Place of Abode of every Person licensed to keep Arms under this Act in such County or Place, and the Quantity and Description of Arms comprised in each Licence, and the Letters and Number marked thereon, and the Place or Places at which such Arms are to be kept, shall be registered, without any Fee or Reward; and such Book or Books shall be kept by each Clerk of the Peace at his Office; and it shall be lawful for any Justice of the Peace and Provincial or County Inspector or Sub-Inspector of the Constabulary Force for the same County or Place, at all seasonable Times to inspect such Book and Books, and to make such Extracts from the same as he shall deem fit.

Clerk of the Peace shall from Time to Time revise the Registry, and expunge the Names of dead Persons, &c.

VI. And be it enacted, That the said Clerk of the Peace shall, under the Directions of the Justices at each General or Quarter Sessions, revise and correct the Register of Persons licensed to keep Arms under this Act, and shall expunge therefrom the Name of every Person whose Licence shall be forfeited or withdrawn under the Provisions of this Act, and the Clerk of the Peace shall, under the Direction of the Justices at each General or Quarter Sessions, also expunge the Name of every Person of whose Death they shall receive Information upon Oath: Provided always, that in case the Name of any Person shall have been expunged upon the Allegation that he was dead, and it shall afterwards be shown to the Justices at Quarter Sessions, or to any Two or more Justices at Petty Sessions, that such Person is still living, they shall so certify to the said Clerk of the Peace, by whom his Name shall immediately be restored and again placed upon the said Register.

VII. And

VII. And be it enacted, That each Clerk of the Peace shall make out a List of all the Persons who may have obtained such Licences at each Sessions in the County or Place for which he may act, with their respective Additions and Places of Abode, within One Calendar Month next after the Sessions at which such Licences shall have been obtained, and shall deliver a written or printed Copy of such List, upon Demand, to each Justice of the Peace, Provincial Inspector and County Inspector and Sub-Inspector of the said Constabulary Force, for the same County or Place. List of Persons licensed at each Sessions to be made.

VIII. And be it enacted, That if the Majority of the Justices so assembled at the General Sessions of the Peace shall refuse to grant such Licence, the Person to whom such Licence is refused may appeal from the Decision of such Justices, if in a County of a City or County of a Town, to the next General Sessions of any County at large adjoining to such County of a City or County of a Town, and if in a County at large then to the next General Sessions of the Peace of the same County; and the Court of Sessions to which such Appeal shall be made shall have Power to annul, confirm, modify, or vary, as to such Court shall seem fit, the Decision against which such Appeal shall be made, and to grant or refuse such Licence accordingly; and pending such Appeal the Applicant shall deposit the Arms, if any, belonging to him, with the nearest Sub-Inspector of the Constabulary Force, or with some licensed Dealer in Arms. Appeal against Refusal of Licence.

IX. And be it enacted, That, when a Licence for the keeping of Arms shall be granted to any Person under the Provisions of this Act, the Person obtaining the same shall produce, to such Person and at such Place and within such Time as the Justices at the Session whereat such Licence shall be granted shall direct, the Arms specified in such Licence together therewith, and such Arms shall be examined and compared with such Licence, and if found to correspond therewith shall be marked with such Letters as may be appointed by the said Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors to denote the County, County of a City or Town, within which such Arms shall be respectively registered, and also with a Number to indicate the Order of Licence and Registration, as specified in the Licence; and such Arms, when duly marked under the Provisions of this Act, shall, with the Licence relating thereto, be re-delivered to the Person so licensed; and all such Arms shall be marked, under the Superintendence of the County Inspector of the Constabulary Force, by such Person and in such Manner as the Inspector General of the said Force shall direct, and the Expences attendant thereon shall be defrayed by the Paymaster of the said Constabulary Force for the District. Arms to be marked.

X. And be it enacted, That Twenty-one clear Days before the Commencement of any General Sessions of the Peace subsequent to the General Sessions of the Peace to be held next after the Commencement of this Act for each County, County of a City, or County of a Town respectively, every Person residing within such County, County of a City, or County of a Town, desirous of keeping or having any Arms for which he shall not have obtained a Licence under this Act, shall and may deliver or cause to be delivered to the Clerk of Petty Sessions for the District an Application in like Manner and Form as herein-before provided in respect of Persons applying for Licences to be granted at the General Sessions of the Peace to be held next after the Commencement of this Act, and the Justices at such subsequent Sessions shall and may proceed with respect thereto, and grant or refuse such Licence, in like Manner in all respects as herein-before provided in respect of any Application considered at such first Sessions, and the like Appeal shall lie from or against any Decision of such Justices at such subsequent Sessions, and all and every the Provisions of this Act in respect of the Application for and Consideration of and granting such Licences at the General Sessions to be held next after the passing of this Act, and the marking of Arms for which Licences may be granted thereat, shall, so far as the same are applicable, apply and extend to the Application for and Consideration of and granting such Licences at any subsequent Sessions, and to the marking of Arms for which Licences may be granted thereat. Licences to be applied for at subsequent Sessions as at the first.

XI. And be it enacted, That if any such Licence shall be by any Casualty destroyed, defaced, or lost, it shall be lawful for the Person to whom the same shall have been granted to report the same to the Justices assembled at Petty Sessions for the District wherein such Person may reside, or to the Justices assembled at any General or Quarter Sessions for the Division or Place in which such Person shall reside, and such Justices shall inquire into the Matter, and may, if they think fit, examine upon Oath such Person, or any other Person who can testify in respect thereof; and if such Justices shall be satisfied of the Fact of such Casualty or Loss, by such Inquiry or Examination as aforesaid, they shall, on the Production to them of a Certificate under the Hand of the Clerk of the Peace, setting out so much of the Registry Book as may relate to such Licence, (and which Certificate he is hereby required to deliver, without Fee or Reward,) or upon View of the Registry Book herein-before directed to be kept by the Clerk of the Peace, grant to such Person a Certificate in the Form (C.) in the Schedule to this Act annexed, under the Hands of Two or more of them, reciting such Loss, and setting out the Purport and Effect of the Licence so lost, defaced, or destroyed, and such Certificate shall be in lieu and stead thereof, and of like Force and Effect; and the Clerk of such Petty Sessions shall transmit a Notice of the granting of every such Certificate to the Clerk of the Peace, who shall make a Note thereof in the Registry Book herein-before directed to be kept by him. If Licence lost or destroyed, a Certificate to be granted in lieu thereof at Petty Sessions.

XII. And be it enacted, That, so often as any Person who shall have any Licence to keep Arms granted under this Act shall change his Place of Abode, such Person shall within Two Months after such Change produce before One or more Justices of the Peace at Petty Sessions for the District in which his new Abode may be situate his Licence, or the Certificate granted as aforesaid in lieu thereof, and such Justice or Justices shall cause a Description of such new Place of Abode to be endorsed on such Licence or Certificate, and subscribe the same, and the Clerk of such Petty Sessions shall transmit a Notice of Licensed Persons changing Abode shall give Notice.

such Change, and of such Indorsement having been made, to the Clerk of the Peace for the County or Place in which such Person was resident at the Time of granting such Licence, who shall make a Note thereof in the Registry Book herein-before directed to be kept by him; and in case any Person who shall have any such Licence granted as aforesaid shall change his Place of Abode, and shall not within Two Months after such Change produce his Licence or Certificate before the Justice or Justices at Petty Sessions as aforesaid, in order that the same may be endorsed as aforesaid, he shall forfeit any Sum not exceeding Five Pounds.

Penalty for keeping Arms without Licence.

XIII. And be it enacted, That any Person who shall, after the General Sessions of the Peace to be holden Twenty-one clear Days next after the Commencement of this Act for the County, County of a City, or County of a Town within which he shall reside, have in his Custody or Possession any Arms, without having obtained a Licence for such Arms, duly granted to him pursuant to the Provisions of this Act, and then in force, or any Person who shall, after the Expiration of the Time limited by the Justices as herein-before provided for marking the Arms which he may be licensed to keep, have in his Custody or Possession any Arms not duly marked as aforesaid, shall, upon being convicted thereof, for the First Offence forfeit any Sum not exceeding Ten Pounds, and for the Second and every other Offence shall forfeit any Sum not exceeding Twenty Pounds; and all such Arms shall in every such Case of a First or other Offence be forfeited to the Use of Her Majesty, Her Heirs and Successors, if the Magistrates before whom such Conviction shall take place shall so adjudge.

Exemptions from Penalty.

XIV. Provided always, and be it enacted, That nothing herein contained relating to the Possession of Arms not duly marked, or to the Possession of Arms without a Licence to keep the same, shall be construed to apply or extend to any licensed Manufacturer of or Dealer in Arms, nor to any Person while actually employed by any such licensed Manufacturer of or Dealer in Arms to carry or convey Arms for the Purposes of his Trade: Provided also, that nothing herein contained relating to the Possession of Arms without a Licence shall apply or extend to any Person while employed by a Person having such a Licence to carry or convey Arms to or from the Residence of such licensed Person, or to or from the Place of Business of any licensed Maker of or Dealer in Arms for the Purposes of Sale or Repair.

Justice, &c. may examine Arms carried by any Person, and require his Name and Abode; and Person refusing to allow Arms to be examined, or to tell his Name, &c. may be apprehended.

XV. And be it enacted, That when any Person shall be found carrying Arms it shall be lawful for any Justice of the Peace, or County Inspector, Sub-Inspector, Head or other Constable of the Constabulary Force, to examine such Arms, so as to ascertain the Number and Letters marked thereon, and to require the Person so found carrying Arms to tell his Christian Name, Surname, and Place of Abode; and in case such Person shall, after being so required, refuse to allow such Arms to be so examined, or shall refuse to tell his Christian Name, Surname, and Place of Abode, it shall be lawful for the Justice of the Peace, or County Inspector, Sub-Inspector, Head or other Constable of the Constabulary Force, so requiring as aforesaid, and also for any Person acting by his Order and in his Aid, to seize such Arms and apprehend such Offender, and to convey him or cause him to be conveyed as soon as conveniently may be before a Justice of the Peace; and such Justice may, if he shall so think fit, require the Person so apprehended and brought before him to give sufficient Security, by Recognizance or otherwise, for his Appearance at the Petty Sessions for the District, to answer such Complaint as may be there made against him, and in default thereof shall and may commit such Person to any Gaol, Bridewell, House of Correction, or other Prison in the same County, there to remain until the meeting of such Petty Sessions: Provided always, that no Person so apprehended shall on any Pretence whatsoever be detained for a longer Period than Twelve Hours from the Time of his Apprehension until he shall be brought before some Justice of the Peace; and that if he cannot, on account of the Absence or Distance of the Residence of any such Justice of the Peace, or owing to any other reasonable Cause, be brought before a Justice of the Peace within such Twelve Hours as aforesaid, then the Person so apprehended shall be discharged, but may nevertheless be proceeded against for his Offence by Summons, according to the Provisions hereinafter mentioned, as if no such Apprehension had taken place: Provided also, that if Security as aforesaid be not required, or, being required, shall be given, or if the Person so apprehended shall be discharged, the said Arms so seized shall be restored.

Persons apprehended to be brought before a Justice within Twelve Hours.

Penalty for refusing to allow Examination of Arms, or to tell Name and Abode.

XVI. And be it enacted, That any Person carrying Arms who shall refuse to allow any Justice or County Inspector, Sub-Inspector, Head or other Constable of the Constabulary Force, so requiring to examine the same, or who shall refuse to tell his Christian Name, Surname, and Place of Abode, or who shall give any false or fictitious Christian Name, Surname, or Place of Abode, shall forfeit any Sum not exceeding Five Pounds.

Persons acquiring Arms before the Sessions exempted from the Penalty if they give Notice to the Petty Sessions.

XVII. Provided always, and be it enacted, That no Person shall be liable to the Penalty or Forfeiture aforesaid, in respect of any Arms found in his Custody or Possession for which he shall not have obtained a Licence duly granted to him pursuant to the Provisions of this Act, until after the First General Sessions of the Peace for the County or Place wherein he may reside holden Twenty-one clear Days next after the Time when such Arms shall have come into his Custody or Possession, provided he shall have purchased or obtained the same from a licensed Dealer in or Maker of Arms, or from a Person duly licensed to keep Arms, and shall within Seven Days after purchasing or obtaining the same have lodged with the Clerk of the Petty Sessions, or with any Sub-Inspector or Head Constable of the said Constabulary Force for the District wherein he may reside, a Declaration in the Form (D.) in the Schedule to this Act annexed, signed by himself and by the Person from whom he shall have purchased or obtained the same, specifying the Number and Description of the said Arms, and the Date when the same came into his Possession; and the said Clerk of the Petty Sessions, Sub-Inspector, or Head Constable shall endorse on

every

every such Declaration the Date of the Delivery thereof, and preserve the same, and shall, without Fee or Reward, sign and deliver an Acknowledgment in Writing of such Notice to the Party lodging such Declaration.

In case of Death of licensed Person Licence may be temporarily assigned to some Member of the Family by Justices at Petty Sessions.

XVIII. And be it enacted, That upon Information of the Decease of any Person who shall have obtained a Licence to keep Arms under the Provisions of this Act, and upon the Production of such Licence and the Arms to which the same may refer, it shall be lawful for any One or more Justices at Petty Sessions for the District wherein he may have resided to assign and transfer the Licence of such deceased Person, by Endorsement thereon under his or their Hands and Seals, to any Person they may think fit, who may apply to them for that Purpose, being a Member of the Family of the deceased Person, and by virtue of such Endorsement the Person named and described in such Endorsement shall be deemed and taken to be duly licensed to keep the Arms mentioned in such Licence, until the General Sessions of the Peace to be held Twenty-one clear Days next after the Date of such Endorsement, but no longer; and the Clerk of the Petty Sessions shall transmit Notice of the Decease of every such licensed Person, and of the Endorsement of his Licence, to the Clerk of the Peace for the County or Place in which such deceased Person was resident at the Time of granting such Licence, who shall make a Note thereof in the Registry herein-before directed to be kept by him: Provided always, that in case the said Justice or Justices shall not think fit to assign such Licence they shall cause the Arms to be deposited with the Sub-Inspector of the Constabulary Force for the said County or Place, or with some licensed Dealer in Arms, until a Licence shall be obtained to keep such Arms, or until the same shall be sold: Provided also, that no Member of the Family of a Person deceased who had at the Time of his Decease a Licence to keep Arms shall be liable to any Penalty for having such Arms, until after the General Sessions of the Peace to be held Twenty-one clear Days next after the Decease of such licensed Person, unless he shall have been required by some Justice of the Peace or other Peace Officer to deposit such Arms with the Sub-Inspector of the Constabulary Force, or with some licensed Dealer in Arms, and shall have refused or neglected so to do, or shall not have obtained a Transfer Licence from the Justices at Petty Sessions.

Clerk of Petty Sessions to transmit Notice thereof to Clerk of the Peace.

In case Magistrates do not think fit to assign.

Proviso as to the Members of the Family of the deceased Person.

Persons licensed to keep Arms, disposing of the same, shall give Notice of such Sale.

Penalty.

XIX. And be it enacted, That whensoever any Person licensed to keep Arms under this Act shall sell or dispose of the same or any of them he shall, within Seven Days next after so selling or disposing of the same, deliver to the Clerk of the Petty Sessions, or to any Sub-Inspector or Head Constable of the said Constabulary Force for the District wherein he may reside, a Notice in the Form (E.) in the Schedule to this Act annexed, stating therein the Name and Abode of the Person to whom he may have so sold or disposed of such Arms, and the Time when and the Arms so sold or disposed of; and every such Clerk of Petty Sessions, Sub-Inspector, or Head Constable shall endorse on every such Notice the Date of the Delivery thereof, and preserve all such Notices, and shall sign and deliver, without Fee or Reward, to the Party delivering any such Notice, an Acknowledgment thereof in Writing; and if any Person licensed to keep Arms shall sell or dispose of his Arms or any of them without giving within the Period before limited such Notice as aforesaid he shall for such Offence forfeit any Sum not exceeding Five Pounds.

Licensed Persons shall produce Arms when required by Justices at Petty Sessions.

XX. And be it enacted, That every Person licensed under this Act to keep Arms shall from Time to Time, but not oftener than once in every Three Months, when thereto required by any Two or more Justices at Petty Sessions within their respective Jurisdictions, by Warrant under their Hands and Seals, produce to any Sub-Inspector or Head Constable of the said Constabulary Force named in such Warrant, upon Demand made at the Place of keeping such Arms, the Arms which he shall have been so licensed to keep; and in case such Person shall not have the Arms which he may have been licensed to keep he shall so state to the Sub-Inspector or Head Constable; and any licensed Person who, being so required to produce his Arms, shall not produce the same pursuant to such Warrant as aforesaid, or account for the same to the Satisfaction of such Justices, shall be subject to the Penalty herein-before provided against Persons having Arms without a Licence to keep the same.

Justices may withdraw Licences, and cause Names to be erased, and give Notice to such Persons.

XXI. And be it enacted, That it shall and may be lawful for the Justices of the Peace at any General Sessions of the Peace, on the Application of any Justice of the Peace or Peace Officer, to withdraw, if they shall think fit, any Licence for the keeping of Arms theretofore granted, from any Person whom they may deem an improper Person to be intrusted with Arms, provided that such Licence shall not be withdrawn unless Fourteen clear Days Notice of such Application, and of the Grounds upon which it is alleged such Person ought to be deemed an improper Person, according to the Form (I.) in the Schedule to this Act annexed, shall have been served on the Person against whom such Application shall be made, either personally or by leaving the same at his Dwelling House; and in case such Justices shall decide on withdrawing any such Licence from any such Person, they shall cause a Notice to be served on such Person, or to be left at the Dwelling House or other Place specified in the said Registry to be then the Abode of such Person, signed by any Two of the Justices of such Session, and countersigned by the Clerk of the Peace under their Authority, that such Licence is withdrawn: Provided always, that such Justices shall not decide upon any other Grounds than One or more of the Grounds of which Notice shall have been given as aforesaid.

Persons served with such Notices who do not deliver up their Licences and Arms shall be liable to Forfeiture.

XXII. And be it enacted, That if any Person whose Licence may be so withdrawn shall not, within Seven Days after Service of or leaving such Notice thereof, deliver to some neighbouring Justice of the Peace at his Place of Abode, or to the County or Sub Inspector of the Constabulary Force for such County or Place, the Licence granted to such Person and all such Arms as were thereby authorized to be kept, or account for the same to the Satisfaction of the Justices at Petty Sessions for the District, such Person shall be subject and liable to the Penalty herein-before provided against Persons having Arms without

without a Licence to keep the same, except when it shall appear to the Magistrates before whom such Offence is prosecuted that the Delay arose from accidental Circumstances, and not from wilful Neglect; and all such Arms so delivered up shall be forthwith deposited with the County or Sub-Inspector of the said Constabulary Force for such County or Place, who shall either retain the Arms which he shall so receive, or deposit the same with some licensed Dealer in Arms for Sale, according to the Desire of the Owner thereof.

Justices, &c. may enter Houses on Suspicion of having Arms unregistered, &c.

XXIII. And be it enacted, That if Information in Writing shall be given to any Two or more Justices of the Peace for any County, County of a City or Town, on the Oath of One or more credible Witness or Witnesses, that to the best of his or their Knowledge or Belief any Person is in the Possession of Arms without a Licence to keep the same, or that any Person licensed under this Act is in the Possession of Arms not specified in such Licence or not duly marked, or that any Person is in the Possession of Arms whose Licence to keep the same shall have been withdrawn, or that Pikes or Pike Heads are in the House, Grounds, or Premises of any Person in such County, County of a City or Town, it shall and may be lawful for such Justices of the Peace to enter and search, or by Warrant under their Hands and Seals to authorize and empower any Sub-Inspector or Head Constable of the said Constabulary Force therein named, with any Men of such Force, to enter and search, the House, Grounds, and Premises of and belonging to such Person, and in case Admission shall be refused, or not obtained within a reasonable Time after it shall have been demanded, to enter by Force into such House, Grounds, and Premises, and every Part thereof, and if any Arms shall be found in the Possession of any such Person not having a Licence to keep the same, or whose Licence shall have been withdrawn, or if any Arms shall be found in the House, Grounds, or Premises of such Person not specified in his Licence or not duly marked, or if any Pikes or Pike Heads shall be found on such Search, to seize and carry away the same for the Use of Her Majesty: Provided always, that no such Warrant shall be executed between Sunset and Sunrise except in the Presence of a Justice of the Peace, or between Sunrise and Sunset except in the Presence of a Justice of the Peace or a County or Sub Inspector of the said Constabulary Force.

Two Justices having Suspicion that Arms are unlawfully kept in any County, may report to the Lord Lieutenant, who by Warrant may order general Search to be made for them.

XXIV. And be it enacted, That whenever any Two or more Justices of the Peace in any County, County of a City or Town, in *Ireland*, shall have reasonable Grounds of Suspicion that any Person or Persons within such County, County of a City or Town, is or are unlawfully in possession of Arms, or that any Pikes or Pike Heads are in any House or Place within such County, County of a City or Town, such Justices of the Peace shall transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a Report, signed by them, of such Suspicion, with the Grounds and Reasons thereof; and upon the Receipt of such Report it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors, by Warrant under the Hand of his or their Chief or Under Secretary, to authorize and require such Justices or any other Justice, or any County or Sub Inspector or Head Constable of the Constabulary Force therein named, with any Men of such Force, acting under the Order of One or more Justice or Justices to be named in such Warrant, to enter and search, within a Time to be specified in such Warrant, all Houses and Places within and throughout such County, County of a City or Town, or any Parish, Barony, or Half Barony of such County, County of a City or Town, or such Part thereof respectively as shall be specified in such Warrant, and in case Admission shall be refused, or not obtained within a reasonable Time, to enter by Force into any such House or Place, and if any Arms, Pikes, or Pike Heads kept contrary to the Provisions of this Act shall be found therein to seize and carry away the same to the Use of Her Majesty: Provided always, that no such Warrant shall be executed between Sunset and Sunrise except in the Presence of a Justice of the Peace or a County or Sub Inspector of the said Constabulary Force.

Proviso.

Penalty on Persons having Pikes, &c. in their Possession.

XXV. And be it enacted, That every Person in whose Possession any Pike or Pike Head shall be found upon any Search authorized to be made by this Act, being thereof convicted by due Course of Law, shall be deemed guilty of a Misdemeanor, and shall for the First Offence be imprisoned for any Period not exceeding Twelve Calendar Months, and for the Second and every other Offence be liable to be imprisoned for any Period not exceeding Three Years, unless such Person shall prove to the Satisfaction of the Court before which he shall be tried for the said Offence that such Weapon as aforesaid was in his Possession for some lawful Purpose, or without his Knowledge, Privity, or Consent.

No Arms, Gunpowder, &c. shall be imported into Ireland without Licence from the Lord Lieutenant.

XXVI. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Person to import or bring into *Ireland* any Gun, Pistol, or other Fire-arms, or any Lock, Stock, Barrel, or other Part of any Gun, Pistol, or other Fire-arms, or any Bullets, Gunpowder, or Ammunition, without having first obtained a Licence for that Purpose under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief or Under Secretary, which Licence shall be in force for such Time as shall be therein limited, and shall specify the Number and particular Kind of Guns, Pistols, or other Arms, or of Locks, Stocks, Barrels, or other Parts thereof, and the Quantity of Bullets, Gunpowder, or Ammunition thereby licensed to be imported or brought.

Persons may import Arms for personal Defence or sporting, on registering the same with Officer of the Port.

XXVII. Provided always, and be it enacted, That it shall be lawful for any Subject of Her Majesty coming into *Ireland* to import or bring such Arms as are usually carried for personal Defence or for sporting, but no other, upon registering such Arms, and the Name and usual or intended Place of Abode of such Person, with the chief Officer of the Port where such Person shall land, and obtaining from such Officer a Licence for the same, which Licence shall be granted without any Fee or Reward, and shall authorize and empower such Person to keep such Arms, without incurring any of the Penalties or Forfeitures of this Act, until the General Sessions of the Peace to be holden Twenty-one clear Days next after the Date thereof for the County or Place wherein such Person shall reside, and for such further Period,

Period, not exceeding Six Calendar Months, as may be limited by any Two or more Justices of the Peace assembled at Petty Sessions for the District wherein such Person may abide, and which they are hereby authorized to limit on the Application of such Person, and upon Proof of his not being permanently resident in *Ireland*.

Arms, &c. imported without Licence to be forfeited;

XXVIII. And be it enacted, That if any Person shall, contrary to the Provisions of this Act, import or bring into *Ireland* any Gun, Pistol, or other Fire-arms, or any Stock, Lock, Barrel, or other Part of any Gun, Pistol, or other Fire-arms, or any Bullets, Gunpowder, or Ammunition, all such Articles shall be forfeited to Her Majesty, and shall and may be seized by any Justice of the Peace or Peace Officer, or by any Officer of Her Majesty's Excise or Customs; and all such Articles shall, when so seized, be deposited in such Place or Places as shall be appointed for the Purpose by the said Lord Lieutenant or other Chief Governor or Governors; and every Importer or Bringer thereof, whether Owner thereof or not, shall for every such Importation or bringing forfeit any Sum not exceeding Ten Pounds.

and Penalty of 10*l.* on Importer.

No Person in Ireland shall manufacture Gunpowder without Licence of Lord Lieutenant, &c.

XXIX. And be it enacted, That from and after the Commencement of this Act no Person shall make or manufacture any Gunpowder in *Ireland* unless such Person shall have obtained a Licence for such Purpose under the Hand of the said Lord Lieutenant or other Chief Governor or Governors, or his or their Chief or Under Secretary; and the Place where such Gunpowder is to be made or manufactured, and every Store or Place belonging to such Manufacturer or other Person in which such Gunpowder is to be kept, shall be set forth and described in such Licence, together with the Name of the Person superintending the Work at the Mills of such Maker or Manufacturer of Gunpowder, and, if such Maker or Manufacturer of Gunpowder shall have any Office or Place of Delivery separate from such Mills, the Name of the Person to whom the Gunpowder shall be consigned at such Office and the Place where such Office is situated shall also be set forth and described in such Licence; and if any Person shall after the Commencement of this Act make or manufacture any Gunpowder in *Ireland* without being so licensed for that Purpose, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds, and all Gunpowder, and all Materials for making the same, found in the Possession of or in any House or other Place belonging to such Offender, shall be forfeited to the Use of Her Majesty.

Penalty 50*l.* and Forfeiture of Gunpowder, &c.

No Person not licensed as a Manufacturer shall sell Gunpowder without a Licence for that Purpose.

XXX. And be it enacted, That from and after the Commencement of this Act no Person, not being duly licensed to manufacture Gunpowder as aforesaid, shall deal in or sell Gunpowder by Retail or otherwise in *Ireland* unless he shall have obtained a Licence for that Purpose from the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief or Under Secretary; and no such Licence shall be granted without a Certificate, under the Hands and Seals of Two or more Justices of the Peace in Petty Sessions assembled for the District within which such Person shall carry on such Trade, in the Form (F.) in the Schedule to this Act annexed that such Person is a proper Person to obtain the same, and that his Stores are secure and fit for the Purpose of keeping Gunpowder; and any Person who shall sell Gunpowder, by Retail or otherwise, without being licensed for that Purpose, or without being licensed to manufacture Gunpowder as aforesaid, shall forfeit for every such Offence the Sum of Fifty Pounds, and all Gunpowder, and every Cask or Vessel in which the same shall be contained, found in the Possession of or in any House or other Place belonging to such Person shall be forfeited to the Use of Her Majesty.

Penalty 50*l.* and Forfeiture of Gunpowder, &c.

No Dealer shall sell Gunpowder but to a licensed Dealer or to a Person licensed to keep Arms, except for mining or blasting, under the Certificate of One or more Justices.

Penalty.

XXXI. And be it enacted, That every Maker of or Dealer in Gunpowder, his Agent or Servant, shall, before selling or delivering any Quantity of Gunpowder to any Person, require such Person to produce a Licence authorizing him to make, deal in, or sell Gunpowder, or to keep Arms, or, in case such Gunpowder shall be wanted for the Purpose of mining or blasting, a Certificate, to be obtained as herein-after mentioned, under the Hands of One or more Justices of the Peace, that such Gunpowder is to be applied to such Purpose, and in the Case of Gunpowder required for mining or blasting shall endorse on such Certificate the Quantity so sold or delivered, and the Time when, and shall sign his Name thereto; and if any Maker of or Dealer in Gunpowder, his Agent or Servant, shall sell or deliver any Quantity of Gunpowder to any Person without the Production of such a Licence or Certificate, or shall neglect to endorse on such Certificate the Quantity so sold or delivered and the Time when, and to sign his Name thereto, he shall for the First such Offence forfeit any Sum not exceeding Five Pounds, and for any Second Offence he shall forfeit any Sum not exceeding Ten Pounds.

A Certificate to purchase Gunpowder for mining, &c. may be granted by One or more Justices.

XXXII. And be it enacted, That it shall and may be lawful for any One or more Justices of the Peace, upon the Application of any Person desirous of purchasing Gunpowder for the Purpose of mining or blasting, to grant to such Person a Certificate in the Form (G.) in the Schedule to this Act annexed, authorizing such Person to purchase any Quantity of Gunpowder to be specified in such Certificate, to be applied to such Purpose, upon being satisfied that such Gunpowder is wanted for such Purpose, and that the Applicant is, in his or their Judgment, a fit Person to be intrusted therewith.

No Gunpowder or Ammunition to be kept by unlicensed Persons.

XXXIII. And be it enacted, That from and after the Commencement of this Act no Person, unless duly licensed to make or manufacture or sell or deal in Gunpowder, or to keep Arms, shall keep any Bullets or Ammunition or Gunpowder, except for the Purpose of mining or blasting, by virtue of such Certificate as aforesaid; and that any Person not so licensed, or not having such Certificate, in whose Custody or Possession any Gunpowder, Bullets, or Ammunition whatever shall be found, shall forfeit the same to the Use of Her Majesty, and shall also incur the like Penalty and Forfeiture as herein-before provided against Persons in whose Custody or Possession Arms shall be found without a Licence to keep the same.

Notice shall be given of sending out Arms, and they shall be marked.

XXXIV. And be it enacted, That every Maker of and Dealer in Arms who shall send out any Arms shall within Twenty-four Hours thereafter give Notice in Writing thereof at the nearest Police or Constabulary Station, and shall send all such Arms either uncovered or in Packages conspicuously marked with the Word "Arms"; and if any such Manufacturer or Dealer shall send out any Arms, and shall neglect

to

to give such Notice within such Time as aforesaid, or shall send out any Arms covered, and without being so marked, such Manufacturer or Dealer so offending shall forfeit any Sum not exceeding Ten Pounds.

Notice shall be given of sending out Gunpowder.

XXXV. And be it enacted, That every Person licensed to manufacture or sell Gunpowder, who shall send out any Quantity thereof exceeding Twenty-five Pounds Weight, shall within Twenty-four Hours thereafter give Notice in Writing thereof at the nearest Police or Constabulary Station; and that with every Quantity of Gunpowder exceeding the Weight aforesaid so sent a Manifest shall be sent, expressing the Quantity sent, and whether in Barrels, Half Barrels, or Quarter Barrels, and the Places from which and to which it is sent, which Manifest shall be dated and signed by the Maker or Vendor of such Gunpowder, or his Superintendent or Agent; and if any Person licensed to manufacture or sell Gunpowder shall send out any Quantity thereof exceeding the Weight aforesaid, and shall neglect to give such Notice within such Time as aforesaid, or if any Quantity exceeding the Weight aforesaid shall be sent without such Manifest, or if any greater Quantity of Gunpowder than what is expressed in such Manifest shall be so sent, or if the Gunpowder therein mentioned shall be sent to any other Place than to the Place mentioned in such Manifest, the Person sending the same shall forfeit any Sum not exceeding Twenty Pounds.

Penalty on Fraud by Manifest, 20*l.*, &c.

Gunpowder exceeding Twenty-five Pounds Weight shall be removed in Casks, &c.

XXXVI. And be it enacted, That all Gunpowder exceeding Twenty-five Pounds Weight which shall be removed from any Part of *Ireland* to any other Part of the same shall be made up in Casks with the Word "Gunpowder" marked thereon in large Letters, upon pain of forfeiting the same to Her Majesty; and that it shall be lawful for any Person to seize and carry to Her Majesty's Stores any Quantity of Gunpowder exceeding Twenty-five Pounds Weight which shall not be so made up and marked; and the Person who shall have caused such Gunpowder to be carried without being so made up or marked shall forfeit for each such Offence any Sum not exceeding Twenty Pounds.

Penalty, 20*l.*

Penalty on licensed Persons lending Licences to unlicensed Persons.

XXXVII. And be it enacted, That if any Person having a Licence to deal in or sell Gunpowder or to keep Arms, or any such Certificate to obtain Gunpowder for blasting, or any Certificate given in lieu of a Licence to keep Arms, shall lend or permit the same to be used for the Purpose of procuring Gunpowder or Ammunition for the Use of any other Person, or if any Gunpowder or Ammunition bought in the Name of any Person so licensed shall, with the Consent of such Person, be carried, brought, or delivered to any other Person not being licensed, or if any Gunpowder procured for the Purpose of mining or blasting shall be applied to any other Purpose, with the Knowledge or Consent of the Person holding such Certificate, the Person so licensed, or the Person holding such Certificate, and also the Person so applying such Gunpowder to any other Purposes, shall forfeit any Sum not exceeding Twenty Pounds.

Gunpowder Makers and Dealers, within Thirty Days after Commencement of Act, and afterwards monthly, shall return Account of their Stock to Inspectors, &c. of Constabulary, and keep Books with Accounts of Sales, &c., to be inspected and Stock examined under Orders of Inspector General.

XXXVIII. And be it enacted, That every Maker or Manufacturer of Gunpowder, and every Person dealing in or selling the same, in *Ireland*, shall within Thirty Days after the Commencement of this Act return an Account to the County Inspector, Sub-Inspector, or Head Constable of the Constabulary Force for the District in which he shall reside, of all the Stock of Gunpowder then in his Possession, describing the Place or Places where the same shall be kept and the Packages containing the same, and shall provide a Book in which such Quantity shall be entered, and shall from Time to Time in the First Week of every Calendar Month make or cause to be made a like Return and like Entry; and every such Maker or Manufacturer or Dealer in Gunpowder, by Wholesale or Retail, shall also enter or cause to be entered in a separate Book, to be by him for that Purpose provided, and which shall be kept in such Form as shall be from Time to Time directed by the Inspector General of the Constabulary Force, and distinguished by the Name of "The Book of Sales," an Account of every Parcel of Gunpowder sold or disposed of or delivered, with the Time when and to whom; and it shall be lawful for any Person authorized by the said Inspector General of the Constabulary Force, or for any Justice of the Peace, or County Inspector or Sub-Inspector of the Constabulary Force, at all reasonable Times to have Access to such Books, and to examine the Stock of such Maker or Seller of Gunpowder, and compare and balance the same with the Account kept in such Books; and the several County Inspectors, Sub-Inspectors, or Head Constables to whom such Accounts and Returns shall be rendered shall from Time to Time transmit the same to the said Inspector General as they may be by him directed; and if any such Maker or Manufacturer of or Dealer in Gunpowder shall not make such Returns, or shall not truly make the same, or shall not keep such Books, or shall not truly make or cause to be made such Entries therein, or shall not, after Demand, produce such Books to any Person hereby or by such Inspector General authorized as aforesaid, or shall not permit any such Person to inspect the same or to examine his Stock, he shall for the First Offence forfeit any Sum not exceeding Ten Pounds, and for any Second Offence shall forfeit any Sum not exceeding Twenty Pounds.

Licences to be had for making or repairing Arms.

XXXIX. And be it enacted, That from and after the Commencement of this Act no Person shall make, mend, repair, or keep for or expose to sale in *Ireland*, by way of Auction or otherwise, any Gun, Musket, Pistol, or other Fire-arms, or any Part thereof, without a Licence from the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors; and no such Licence shall be granted without a Certificate under the Hands and Seals of One or more Justices of the Peace in Petty Sessions, in the Form (H.) in the Schedule to this Act annexed, that such Person is a proper Person to obtain the same; and if any Person shall make, mend, repair, or keep for or expose to sale any Gun, Musket, Pistol, or other Fire-arms, or Part thereof, without being so licensed, every such Offender shall forfeit any Sum not exceeding Fifty Pounds.

Penalty, 50*l.*

Penalty on Persons making or assisting in

XL. And be it enacted, That any Person who shall make or assist in making any Pike or Pike Head shall, being thereof lawfully convicted, be adjudged guilty of a Misdemeanor, and be liable to be imprisoned

soned for any Term not exceeding Three Years, with or without hard Labour: Provided always, that nothing herein contained shall extend or be construed to extend to any Persons having or making such Weapons as aforesaid in the Service or for the Use of Her Majesty, Her Heirs and Successors.

making Pikes, &c. without Licence.

XLI. And be it enacted, That every Person licensed as last aforesaid, who shall make, repair, or sell any Gun, Pistol, or other Fire-arms, or any Part thereof, shall keep a Book in which he shall enter or cause to be entered a monthly Account of all such Articles made, sold, or repaired by such Person, and to or for whom the same were sold or repaired, and the respective Times when, and shall every Month return a Copy of such Account to the County Inspector, Sub-Inspector, or Head Constable of the Constabulary Force for the District, who shall transmit the same to the Inspector General of the said Force; and it shall be lawful for any Person empowered for that Purpose by the said Inspector General, or for any Justice of the Peace, or County Inspector or Sub-Inspector of the Constabulary Force, at all reasonable Times, on Demand, to have Access to such Book, to examine the same; and if any Person licensed as last aforesaid, making, repairing, or selling any such Article, shall not keep such Book, or shall not truly enter or cause to be entered therein such Account as aforesaid, or shall omit to make any such Return as aforesaid, or shall not, after Demand, produce such Book to any Person hereby or by the said Inspector General authorized as aforesaid, or shall not permit such Person to examine the same, he shall for the First Offence forfeit any Sum not exceeding Ten Pounds, and for any Second Offence shall forfeit any Sum not exceeding Twenty Pounds.

Monthly Account of Arms sold, &c. shall be kept, and returned to Inspector, &c.

Books may be examined.

Penalty on Default, &c. 20*l.*

XLII. Provided always, and be it enacted, That it shall and may be lawful for the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by an Order in Writing under his Hand, from Time to Time, whenever and so often as shall seem expedient, and for such Period of Time as shall be expressed in such Order, to recal, annul, suspend, or prohibit the acting under the Authority of any Licence to make, manufacture, or deal in and sell Gunpowder, or to make, repair, or sell Arms, granted under this Act; and the Party to whom such Order shall relate shall be served with Notice of the same by the Delivery of a Copy thereof to such Party in Person, or by a Copy thereof being left at the Shop or Warehouse of such Party; and any Person so licensed, and served with such Order, who shall, at any Time whilst such Order shall be in force, make, manufacture, deal in, or sell Gunpowder, or make, repair, or sell Arms, shall be considered as dealing in or manufacturing the same without Licence; and all Gunpowder and Arms, and Parts of Arms, in the Possession of such Person, shall and may be seized to the Use of Her Majesty, by or under the Warrant of any Justice of the Peace, or by any Officer of Her Majesty's Revenue of Customs or Excise.

Licences under this Act may be suspended on Notice from Chief or Under Secretary to Party licensed.

Penalty on making or selling Gunpowder during Suspension of Licence.

XLIII. And be it enacted, That it shall and may be lawful to and for any Justice of the Peace within his Jurisdiction to enter and search, or by Warrant under his Hand and Seal to authorize any County Inspector, Sub-Inspector, or Head Constable of the said Constabulary Force therein named, with any Men of the said Force, to enter and search, any House, Place, Ship, Boat, or Vessel in which such Justice shall from Information on Oath have reasonable Grounds to suspect any Arms, Ammunition, or Gunpowder to be deposited by or for the Use of any Person importing the same contrary to this Act, and in case Admission shall be refused, or not obtained within a reasonable Time, to enter by Force into any such House, Place, Ship, Boat, or Vessel, and if any such Arms, Ammunition, or Gunpowder shall be found therein by them, contrary to the Provisions of this Act, to seize and carry away the same: Provided always, that no such Warrant shall be executed between Sunset and Sunrise, except in the Presence of a Justice of the Peace.

Justice of Peace may search or authorize the searching for Arms and Gunpowder kept contrary thereto.

Proviso.

XLIV. And be it enacted, That whenever any Justice or other Person shall seize or carry away any Arms, Ammunition, Gunpowder, or Weapons, under the Authority of this Act, he shall, unless herein otherwise provided, with all convenient Despatch deliver the same to the nearest County or Sub-Inspector of the said Constabulary Force, who shall transmit the same to One of Her Majesty's Storehouses, or to the Officer commanding the nearest Detachment of Her Majesty's Troops, to be by him transmitted as aforesaid; and such Justice or other Person as aforesaid shall, immediately after he shall have so seized or carried away any Arms, Ammunition, Gunpowder, or Weapons as aforesaid, transmit to the said Lord Lieutenant or other Chief Governor or Governors, or to his or their Chief or Under Secretary, a written Account of the Number and Nature and Amount thereof, and of the Place where and the Person from whom the same were respectively seized.

How Arms and Gunpowder seized shall be disposed of.

XLV. And be it enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalty, Fine, or Forfeiture not exceeding Twenty Pounds shall and may in every Case be heard, adjudged, and determined in a summary Way by and before Two or more Justices of the Peace in Petty Sessions assembled for the County, Town, or Place within which such Offence shall have been committed or the Cause of Complaint arisen, or in which the Party offending or complained against shall happen to be; and upon Complaint being made before any One Justice of the Peace as aforesaid of any Offence against the Provisions of this Act he shall issue a Summons requiring the Party offending or complained against to appear at the Petty Sessions of the District at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending or complained against, or left at his last Place of Residence or of Business; and the Justices at such Petty Sessions shall, upon the Appearance of the Party complained against, or Proof of the personal Service of such Summons, or upon Proof of such Summons having been left at the last Place of Residence or of Business of the Party offending or complained against, proceed to the Adjudication of such alleged Offence; and that if, upon Confession of the Party, or on the Oath of any One or more credible Witness or Witnesses (which Oath the said Justices are hereby empowered and required to administer), the Party accused shall appear to have committed such Offence, then and in every

How Offences against this Act incurring a Penalty not exceeding 20*l.* may be tried.

such Case the said Justices shall and may impose upon the Offender such Fine, Forfeiture, or Penalty as by this Act such Offender is made subject and liable to; and the Amount of such Fine or Penalty, with or without the Costs of Conviction, to be ascertained by such Justices, shall be forthwith paid by the Party so convicted as aforesaid; and in case of Nonpayment thereof then the same, together with the Costs of Conviction and Recovery, to be ascertained as aforesaid, shall and may, by Warrant under the Hands and Seals of such Justices (which they are hereby authorized and required to grant), be levied and recovered by Distress and Sale of the Goods and Chattels of such Offender, wheresoever the same can be found; and that the Surplus (if any) arising from such Distress and Sale, after deducting such Fine or Penalty, together with the Costs of Conviction, and the reasonable Expences attendant upon such Distress and Sale, shall be rendered to the Owner or Owners of the Goods and Chattels so distrained; and that if upon the Return of such Warrant it shall appear that no sufficient Distress can be found, or in case the said Fine or Penalty, and such Costs as aforesaid, shall not be forthwith paid, or in case it shall appear to such Justices, either by Confession of the Offender or otherwise, that such Offender hath not sufficient Goods or Chattels whereout such Fine or Penalty and Costs may be levied, it shall and may be lawful to and for the said Justices, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol or any House of Correction or other Prison in the said County, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month where the Fine or Penalty imposed shall not exceed Five Pounds, and not exceeding Three Months in any Case, unless such Fine or Penalty, together with all such Costs and Expences as aforesaid, shall be sooner paid and satisfied.

Penalty to be recovered by Distress and Sale of Offender's Goods.

If no Goods or Chattels, Offender may be imprisoned.

Recovery of Fines and Penalties exceeding the Sum of 20*l.*

XLVI. And be it enacted, That all pecuniary Fines, Penalties, or Forfeitures exceeding the Sum of Twenty Pounds imposed by this Act may be sued for and recovered, in the Name of Her Majesty's Attorney General, in the Court of the Assistant Barrister, Chairman of Sessions, or Recorder having Jurisdiction in the County, County of a City, or County of a Town, or Borough, where the Offence shall have been committed or the Offender shall happen to be; and that any Forfeiture of any Article or Thing which by virtue of this Act shall be forfeited shall, save as herein otherwise provided, be sued for, recovered, and applied in the Manner and Form, and by the Ways and Means, and with the Powers and Authorities prescribed, directed, or appointed in and by any Law relative to Her Majesty's Revenue of Excise, as if the same were particularly mentioned and expressed and re-enacted in this present Act, with the like Remedy of Appeal to and for any Party who shall think himself or herself aggrieved or injured as in and by any Law relating to Her Majesty's Revenue of Excise is provided.

Lord Lieutenant may remit Penalties, &c.

XLVII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at his and their Discretion, to remit or mitigate any Penalty or Forfeiture or Punishment incurred under this Act, and to order the Restoration of any Arms, Gunpowder, or Ammunition, or other Article seized under the Authority of this Act, upon such Terms and subject to such Conditions as to him or them shall seem fitting.

Proof of Licence to lie on the Person claiming the Benefit of it.

XLVIII. And be it enacted, That if in any Prosecution or Proceeding under this Act any Question shall arise as to whether any Person is duly licensed, within the Meaning thereof, for any of the Purposes for which a Licence is required by this Act, or as to whether any Person has given any Notice or Declaration required by this Act, the Proof that such Person is so licensed or has given such Notice or Declaration shall lie on the Party against whom such Prosecution or Proceeding shall be had, and not on the Party complaining; provided that it shall be lawful for the Court to impose Costs upon any Person who may have made a vexatious Complaint.

Grand Juries may present Sums necessarily disbursed for marking Arms and for paying Clerks of the Peace for executing this Act.

XLIX. And be it enacted, That it shall be lawful for the Grand Jury of every County of a City and County of a Town in *Ireland*, at each Assizes, and for the Grand Juries at each Presenting Term for the County of *Dublin* and County of the City of *Dublin*, and they are hereby respectively required, to present such Sums to be raised off the County as shall have been necessarily disbursed in marking Arms under the Provisions of this Act in such County, County of a City or Town, and such Sums as shall appear to them to have been necessarily disbursed shall be paid to the Officer by whom such Disbursements shall have been made; and it shall be also lawful for the said Grand Juries at each Assizes or Presenting Term to present such Sums as may be necessary to pay the Clerks of the Peace and Petty Sessions respectively for their Trouble and Expences in the Execution of this Act.

This Act not to extend to Her Majesty's Forces, &c.

L. Provided always, and be it enacted, That nothing in this Act contained shall apply to or affect any Person serving in Her Majesty's Forces, or in any Corps of Militia or Yeomanry actually embodied, or on the Staff of the Militia, or any Officer or Man of the Constabulary Force or Metropolitan Police, or Coast Guard or Revenue Police, in respect of any Arms or Ammunition intrusted to or used by any of them in their respective Capacities as aforesaid.

Members of Yeomanry Corps to register their Arms.

LI. Provided always, and be it enacted, That Licences shall be required for all Arms kept by any Member of any Yeomanry Corps not actually embodied, and the same shall be registered and marked pursuant to the aforesaid Provisions, and the Registry and Licence for keeping the same shall specify and distinguish which of the Arms mentioned therein belong to Her Majesty, and are intrusted to such Person as a Member of the said Corps; and every Member of such Corps shall be liable to all the Penalties and Provisions of this Act in respect of any Arms found in his Possession not mentioned in such Licence or not duly marked.

Licences to Museums, &c. to keep Arms without being marked.

LII. And be it enacted, That on the Application of the Trustees or Managers of any public Museum or any other Person or Persons having any Collection of ancient Arms or Arms of curious Manufacture, and kept for Purposes of Ornament or Curiosity and not for Use, or Arms presented to any Person or any Member of his Family for any public Service, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief or Under Secretary, to grant a Licence to such

such Person or Persons to keep the same, setting forth in such Licence a particular Description of such Arms; and the Person or Persons having obtained such Licence shall be authorized and empowered to keep the Arms specified therein, without such Arms being marked, and without incurring any of the Penalties or Forfeitures of this Act, so long as such Licence shall continue: Provided always, that if any Person shall use such Arms he shall be liable to all the Penalties to which Persons having Arms in their Possession without a Licence are liable under this Act; and provided also, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief or Under Secretary, at any Time to withdraw such Licence. Proviso.

LIII. And be it enacted, That if any Clerk of the Peace or Clerk of Petty Sessions shall wilfully contravene or disobey any of the Provisions of this Act, he shall for each such Offence be liable to be sued for the Sum of One hundred Pounds, to be recovered by an Action of Debt or Information in the Name of Her Majesty's Attorney General in any of Her Majesty's Superior Courts of Record at *Dublin*; and the Jury may in any such Action find a Verdict for the Sum of One hundred Pounds, or for any Sum not less than Ten Pounds, as they shall think just; and the Defendant against whom such Verdict shall be found shall pay the Amount thereof, with full Costs of Suit, to the Use of Her Majesty. Penalties on Officers for Breach of Duty.

LIV. Provided always, and be it enacted, That nothing herein contained shall in anywise prejudice or affect the Right of any Party aggrieved by any such Misconduct of any Clerk of the Peace or Clerk of Petty Sessions to recover in an Action on the Case, or such other Action as such Person may by Law be then entitled to maintain. Not to prejudice Rights of Action.

LV. And be it enacted, That all such Acts, Matters, and Things as by this Act are authorized or required to be done by or in relation to any Justices at Petty Sessions or Clerk of Petty Sessions shall and may, in the County of the City of *Dublin*, and within the Police District of *Dublin* Metropolis, be done by or in relation to the Divisional Justices at their Offices and the Chief Clerks at such Offices respectively; and that all such Acts, Matters, and Things as are authorized or required to be done by or in relation to the Inspector General of the Constabulary Force, or any Provincial Inspector, County Inspector, or Sub-Inspector, shall and may be done in the said County and within the said Police District by or in relation to the Justices of the Peace appointed under an Act of the Sixth and Seventh Years of the Reign of His late Majesty, for improving the Police in the said Police District; and that all Payments by this Act directed to be made by or to any Paymaster of the said Constabulary Force shall in the said County and within the said District be made by or to the Receiver of the said Metropolitan Police; and that wherever Mention is made in this Act of the Constabulary Force the Provision shall, in the Case of the said County, and within the Limits of the said Police District, be taken to apply to the Police Force of the said District; and that all and every the Jurisdictions, Powers, and Authorities by this Act given to the Justices at any General or Quarter Sessions of the Peace shall and may be exercised in the City of *Dublin* by the Recorder of the said City, and in every other Borough having a separate Court of Quarter Sessions of the Peace by the Recorder of such Borough presiding at such Sessions. Provisions as to County of the City of Dublin.

LVI. 'And whereas there are some Places not included in any Petty Session District;' be it therefore enacted, That all such Acts, Matters, and Things as by this Act are authorized or required to be done by or in relation to any Clerk of Petty Sessions shall and may in such Places, except the County of the City of *Dublin*, be done by or in relation to the Clerk of the Peace acting in and for the County, County of a City or Town, wherein such Place may be situated; and that all and every the Proceedings herein directed to be had before and the Jurisdictions hereby given to the Justices at Petty Sessions shall and may in every such Place be had before and exercised by any Two or more Justices of the Peace acting in and for such Place so not included in any Petty Sessions District; and that such Justices as last aforesaid shall themselves transmit to the Clerks of the Peace all such Notices as are by this Act directed to be transmitted to such Officers by the Clerks of Petty Sessions in the Case of Justices acting at Petty Sessions. Provisions for Places not included in any Petty Sessions District.

LVII. And be it enacted, That in case any Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done or executed in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the alleged Cause of Action shall accrue; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereon, and prove that the same was done under the Authority of this Act. Limitation of Actions.

LVIII. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act shall and may cause the Record of such Conviction to be drawn up in the Manner and Form following, or in any Words to the same Effect, as the Case shall require; (*videlicet*,) General Form of Conviction.

'} BE it remembered, That on this Day of in the Year of the
'to wit. } Reign of *A.B.* is convicted before Her Majesty's Justices
'of the Peace for the said County of [*or* for the Division of the said County of
'*or* for the City, Liberty, *or* Town of *as the Case shall happen to be*], for
'and do adjudge him [*or* her *or* them, *as the Case may be*,] to pay and forfeit for the
'same the Sum of , and do also adjudge [*here name the Articles, Arms, &c.*] to be
'forfeited [*as the Case may be*]. Given under the Day and Year aforesaid.'

LIX. And be it enacted, That no Order, Judgment, or Conviction made touching or concerning any of the Matters in this Act contained, or of any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at Proceedings not to be quashed for Want of Form.

Dublin; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or any other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

Tender of Amends.

Appeal to Quarter Sessions.

LX. Provided always, and be it enacted, That if any Person or Persons convicted of any Offence punishable by this Act shall think him, her, or themselves aggrieved by the Judgment of the Justices before whom he, she, or they shall have been convicted, it shall be lawful for such Person or Persons from Time to Time to appeal to the Justices at the next General or General Quarter Sessions of the Peace which shall be held for the City, County, Division, Liberty, Town, or Place where such Judgment shall have been given, and that the Execution of such Judgment shall in such Case be suspended, the Person or Persons so convicted entering into a Recognizance within Twenty-four Hours of the Time of such Conviction, with Two sufficient Sureties, in double the Sum which such Person or Persons shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and Determination of the Justices at their said next General or General Quarter Sessions, which Recognizance the Justices before whom such Conviction shall be had are hereby empowered and required to take; and the Justices in the said General or General Quarter Sessions are hereby authorized and required to hear and finally determine the Matter of every such Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party; and if upon hearing the said Appeal the Judgment of the Justices before whom the Appellant or Appellants shall have been convicted shall be confirmed, such Appellant or Appellants shall forthwith pay down the Sum he, she, or they shall have been adjudged to have forfeited, together with such Costs as the said Justices in their said General or General Quarter Sessions shall award to be paid to the Prosecutor or Informer for defraying the Expences sustained by reason of any such Appeal; and in default of the Appellant's paying the same, any Two Justices, or any One Justice of the Peace having Jurisdiction in the Place into which any such Appellant or Appellants shall escape, or where he, she, or they shall reside, shall and may, by Warrant under their Hands and Seals or his Hand and Seal, commit any such Appellant or Appellants to the Common Gaol of the City, County, Division, or Place where he, she, or they shall be apprehended, until he, she, or they shall make Payment of such Penalty, and of the Costs and Charges which shall be adjudged on the Conviction; but if the Appellant or Appellants in any such Appeal shall make good his, her, or their Appeal, and be discharged of the said Conviction, reasonable Costs shall be awarded to the Appellant or Appellants against such Prosecutor or Informer, and which Costs shall and may be recovered by the Appellant or Appellants against any such Prosecutor or Informer in like Manner as Costs given at any General or General Quarter Sessions are recoverable: Provided always, that no Person shall be detained in Prison for any such Offence for any greater Length of Time than Three Calendar Months.

Determination to be final.

Costs.

Appellant not paying the Sum adjudged against him to be committed.

Costs to Appellant making good his Appeal.

Commencement and Duration of this Act, and Repeal of 47 G. 3. Sess. 2. c. 54. and 11 G. 4. & 1 W. 4. c. 44.

LXI. And be it enacted, That this Act shall commence and take effect from such Day, not later than Six Calendar Months next after the passing of this Act, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council shall, by Order to be published in the *Dublin Gazette*, fix and appoint, and shall be and continue in force for Two Years from such Day, and from the Expiration of such Two Years until the End of the then next Session of Parliament; and that until such Day so to be fixed and appointed as aforesaid an Act passed in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to prevent improper Persons from having Arms in* Ireland, and the several Acts continuing and amending the same, and also an Act passed in the First Year of the Reign of His late Majesty, intituled *An Act to regulate for One Year the Importation of Arms, Gunpowder, and Ammunition into* Ireland, *and the making, removing, selling, and keeping of Arms, Gunpowder, and Ammunition in* Ireland, and the several Acts continuing and amending the same, shall be and continue in force; but that from and after such Day the said Acts shall be and the same are hereby repealed, without Prejudice, nevertheless, to any Proceeding had for the Recovery of any Penalty incurred under the Provisions of the said Acts.

Interpretation of Act.

LXII. And be it enacted, That in the Construction of this Act the Word "Arms" shall be deemed and construed to include every Description of Fire-arms and Air-guns, and no other Weapon whatever; and that the Words "County of a City or County of a Town" shall apply and extend to any Borough having a separate Court of Quarter Sessions; and that the Words "Clerk of the Peace" shall extend to and mean any Person executing the Duties of Clerk of the Peace, or the same or like Duties as usually devolve upon the Clerk of the Peace; and that all Words importing the Singular Number or the Masculine Gender only shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals; unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

An Abstract of this Act to be

LXIII. And be it enacted, That the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall cause an Abstract of the Provisions of this Act to be prepared, and shall, in such Manner

as

as he or they shall think convenient, cause such Abstract to be printed, published, posted, or distributed for the Information of all Persons in *Ireland* affected by the Enactments herein contained. prepared and published.

LXIV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &

SCHEDULES to which this Act refers.

(A.)

Form of Application for Licence to keep Arms.

To the Clerk of the Petty Sessions [held at for the County of *or* for the County of the City *or* County of the Town of *or* the Clerk of the Peace for the County of *or* the Chief Clerk of the Division of Police, *as the Case may be*].

I [*here specify, if the Person applying shall be resident in a County at large, and not within a City, Town, or Borough, the Parish, Barony, or Townland; or, if such Person shall be resident in a City, Town, or Borough, the Parish and Street in which he shall be resident,*] do hereby apply for a Licence to be granted to me at the next General Sessions of the Peace to be held at [in and for the County of *or* for the County of the City *or* County of the Town *or* Borough of *as the Case may be*], to keep at [*here specify the Place or Places within the Barony, Parish, or Street where the Arms are kept or intended to be kept,*] the Arms described at the Foot hereof.

Date _____

Signature _____

Guns.	Pistols.	Any other Description of Arms, naming them.

(B.)

Form of Licence to keep Arms.

This is to certify, That at a Court of General Sessions of the Peace held at in and for the County of [*or* for the County of the City *or* County of the Town of *or* Borough of *as the Case may be*], *A.B.* of [*here specify the Residence of the Party licensed, as stated in his Application for Licence*] was this Day licensed to keep at [*here specify the Place as stated in the Application*] the following Arms, which are to be marked with the Number and with the Letters

Guns.	Pistols	Any other Description of Arms, naming them.

Given at the General Sessions of the Peace of this Day of One thousand eight hundred

Signatures _____ J. P.

_____ J. P.

Clerk of the Peace.

(C.)

Form of Certificate to be granted in lieu of Licence destroyed, defaced, or lost.

Whereas at the General Sessions of the Peace held at in and for the County of [*or* for the County of the City *or* County of the Town of *or* Borough of *as the Case may be*] a Licence to keep the Arms herein mentioned at was granted to *A.B.* of

of which Arms are marked with the Number and the Letters
And whereas it has been proved to the Satisfaction of us and
Esquires of Her Majesty's Justices of the Peace for the said County assembled in Petty Sessions, *or* General *or* Quarter Sessions, *as the Case may be*, held for the said County or Borough at being the Petty Sessions for the District, *or* being the General *or* Quarter Sessions for the Division wherein the said *A.B.* resides, that the said Licence has been [destroyed, defaced, *or* lost, *as the Case may be*]: Now we do hereby grant the said this Certificate, to be in lieu and stead of the said Licence, and of the like Force and Effect.

Given under our Hands, this Day of

(Signed) _____

Guns.	Pistols.	Any other Description of Arms, naming them.

(D.)

Declaration of Person acquiring Arms before the Sessions.

I *A.B.* [*here specify, if the Person shall be resident in a County at large, and not within a City, Town, or Borough, the Parish, Barony, and Townland, or, if the Person shall be resident in a City, Town, or Borough, the Parish and Street, in which he shall be resident,*] do hereby certify, That on the Day of in the Year I purchased [*or* obtained] from *C.D.* [*here specify the Residence of the Person or Dealer from whom the Arms were bought or obtained*], who is a licensed Dealer in *or* Maker of Arms [*or* a Person duly licensed to keep Arms, *as the Case may be*], the following Arms; viz.

Guns.	Pistols.	Any other Description of Arms, naming them.

and that I intend to keep the said Arms at [*here specify the Place where the Arms are intended to be kept.*]

Date _____

Signature _____

(E.)

Form of Notice to be given to the Clerk of the Petty Sessions by licensed Person disposing of Arms.

I *A.B.* of [*here specify the Residence of the Person giving the Notice*], being a [licensed Dealer in *or* Maker of Arms, *or* a Person duly licensed to keep Arms, *as the Case may be*], do hereby give Notice, That on the Day of I sold [*or* disposed of] the following Arms; viz.

Guns.	Pistols.	Any other Description of Arms, naming them.

to *C.D.* of [*here specify the Abode of the Person acquiring the Arms*].

Date _____

Signature _____

(F.)

Form of Certificate of Two or more Justices, to be obtained by Person applying for Licence to deal in Gunpowder.

We Esquires, being of Her Majesty's Justices of the Peace for the County of assembled in Petty Sessions held at for the said County, being the Petty Sessions for the District wherein *A.B.* intends to carry on [*or* carries on] the Trade of a Dealer in and Seller of Gunpowder, do hereby certify, That the said *A.B.* is a proper Person to obtain a Licence to carry on the said Trade of a Dealer in and Seller of Gunpowder, and that his Stores are secure and fit for the Purpose of keeping Gunpowder.

Given under our Hands, this Day of One thousand eight hundred

(Signed)

(G.)

Form of Certificate to purchase Gunpowder for mining or blasting.

We being of Her Majesty's Justices of the Peace for the County of do hereby grant to *A.B.* this Certificate, authorizing him to purchase of Gunpowder, to be used for the Purpose of mining [*or* blasting], being satisfied that such Gunpowder is wanted for that Purpose, and that the said *A.B.* is in our Judgment a fit Person to be intrusted therewith.

Given under our Hands, this Day of One thousand eight hundred

(Signed)

(H.)

Form of Certificate of Two or more Justices of the Peace, to be obtained by Person applying for Licence to make, mend, repair, or sell Arms.

We being of Her Majesty's Justices of the Peace for the County of assembled in Petty Sessions held at for the said County, do hereby certify, That *A.B.* is a proper Person to obtain a Licence to make [*or* repair *or* deal in Arms, *as the Case may be*].

Given under our Hands, this Day of One thousand eight hundred

(Signed)

(I.)

Form of Notice of Application to withdraw a Licence to keep Arms.

To [*here insert the Name of the Person against whom the Application is to be made*].

I hereby give you Notice, That an Application will be made at the General Sessions of the Peace to be held at [in and for the County of *or* for the County of the City *or* County of the Town *as the Case may be*] on the Day of One thousand eight hundred to withdraw your Licence to keep Arms, on the Grounds stated at Foot hereof.

(Signed) *A.B.*
County Inspector, *or*
Sub-Inspector, *or*, *&c.*

Dated this Day of 18 .

Grounds of this Application.

1st. For that [*here state the Ground*].
2d. For that [*here state, &c.*]
3d. For that [*&c.*]

CAP. LXXV.

An Act for giving effect to a Convention between Her Majesty and the King of the *French* for the Apprehension of certain Offenders. [22d *August* 1843.]

'WHEREAS by a Convention between Her Majesty and the King of the *French*, signed at *London* 'on the Thirteenth Day of *February* in the Year One thousand eight hundred and forty-three, 'the Ratifications whereof were exchanged at *London* on the Thirteenth Day of *March* in the same 'Year, it was agreed "that the High Contracting Parties should, on Requisition made in their Name 'through the Medium of their respective diplomatic Agents, deliver up to Justice Persons who, being 'accused of the Crimes of Murder (comprehending the Crimes designated in the *French* Penal Code by 'the Terms Assassination, Parricide, Infanticide, and Poisoning), or of an Attempt to commit Murder, or 'of Forgery, or of fraudulent Bankruptcy, committed within the Jurisdiction of the requiring Party, 'should seek an Asylum or should be found within the Territories of the other; provided that this should

'be

'be done only when the Commission of the Crime should be so established as that the Laws of the 'Country where the Fugitive or Person so accused should be found would justify his Apprehension and 'Commitment for Trial if the Crime had been there committed;" and it is by the said Convention 'further stipulated, "that on the Part of the *British* Government the Surrender should be made only on 'the Report of a Judge or Magistrate duly authorized to take cognizance of the Acts charged against the 'Fugitive in the Warrant of Arrest or other equivalent judicial Document issued by a Judge or competent 'Magistrate in *France*, and likewise clearly setting forth the said Acts;" and it is by the said Convention 'further stipulated and agreed, "that the Expences of any Detention and Surrender made in virtue of the 'Stipulations herein-before recited should be borne and defrayed by the Government in whose Name the 'Requisition should have been made;" and it is by the said Convention further stipulated and agreed, '"that the Provisions of the said Convention should not apply in any Manner to Crimes of Murder, 'Forgery, or fraudulent Bankruptcy committed antecedently to the Date thereof;" and it is by the said 'Convention further stipulated and agreed, "that the said Convention should be in force until after the 'First Day of *January* in the Year One thousand eight hundred and forty-four, after which Date either 'of the High Contracting Parties should be at liberty to give Notice to the other of its Intention to put 'an end to it, and it should altogether cease and determine at the Expiration of Six Months from the Date 'of such Notice:" And whereas it is expedient that Provision should be made for carrying the said Con-'vention into effect:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case Requisition be duly made, pursuant to the said Convention, in the Name of His Majesty the King of the *French*, by His Ambassador or other accredited diplomatic Agent, to deliver up to Justice any Person who, being accused of having committed, after the Ratification of the said Convention, the Crime of Murder (comprehending the Crimes designated in the *French* Penal Code by the Terms Assassination, Parricide, Infanticide, and Poisoning), or of an Attempt to commit Murder, or of Forgery, or of fraudulent Bankruptcy, within the Territories and Jurisdiction of His said Majesty the King of the *French*, shall be found within the Dominions of Her Majesty, it shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal, to signify that such Requisition has been so made, and to require all Justices of the Peace and other Magistrates and Officers of Justice within their several Jurisdictions to govern themselves accordingly, and to aid in apprehending the Person so accused and committing such Person to Gaol, for the Purpose of being delivered up to Justice, according to the Provisions of the said Convention, and thereupon it shall be lawful for any Justice of the Peace, or other Person having Power to commit for Trial Persons accused of Crimes against the Laws of that Part of Her Majesty's Dominions in which such supposed Offender shall be found, to examine upon Oath any Person or Persons touching the Truth of such Charge, and, upon such Evidence as according to the Laws of that Part of Her Majesty's Dominions would justify the Apprehension and Committal for Trial of the Person so accused if the Crime of which he or she shall be so accused had been there committed, it shall be lawful for such Justice of the Peace, or other Person having Power to commit as aforesaid, to issue his Warrant for the Apprehension of such Person, and also to commit the Person so accused to Gaol, there to remain until delivered pursuant to such Requisition as aforesaid.

Certain Offenders to be apprehended on Requisition of the Ambassador of the King of the French.

II. Provided always, and be it enacted, That in every such Case Copies of the Depositions upon which the original Warrant was granted, certified under the Hand of the Person or Persons issuing such Warrant, and attested upon the Oath of the Party producing them to be true Copies of the original Depositions, may be received in Evidence of the Criminality of the Person apprehended.

Copies of the Depositions may be given in Evidence.

III. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal to order the Person so committed to be delivered up to such Person or Persons as shall be duly authorized in the Name of the said King of the *French* to receive the Person so committed, and convey such Person to the Dominions of the said King of the *French*, to be tried for the Crime of which such Person shall be so accused, and such Person shall be delivered up accordingly; and it shall be lawful for the Person or Persons authorized as aforesaid to receive the Person so charged with Crime and committed as aforesaid to hold such Person in Custody, and take him or her to the Dominions of the King of the *French*, pursuant to the said Convention; and if the Person so accused shall escape out of any Custody to which he or she shall be committed, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such Person, in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions to which he or she shall so escape may be retaken upon an Escape: Provided always, that no Justice of the Peace or other Person shall issue his Warrant for the Apprehension of any such supposed Offender until it shall have been proved to him, upon Oath or by Affidavit that the Party applying for such Warrant is the Bearer of a Warrant of Arrest or other equivalent judicial Document, issued by a Judge or competent Magistrate in *France*, authenticated in such Manner as would justify the Arrest of the supposed Offender in *France* upon the same Charge, or unless it shall appear to him that the Acts charged against the supposed Offender are clearly set forth in such Warrant of Arrest or other equivalent judicial Document.

Offenders to be delivered up.

IV. And

IV. And be it enacted, That where any Person who shall have been committed under this Act, to remain until delivered up pursuant to Requisition as aforesaid, shall not be delivered up pursuant thereto, and conveyed out of Her Majesty's Dominions, within Two Calendar Months after such Committal, over and above the Time actually required for conveying the Prisoner from the Gaol to which he or she was committed by the readiest Way out of Her Majesty's Dominions, it shall in every such Case be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such supposed Offender shall be in Custody, upon Application made to him or them by or on behalf of the Person so committed, and upon Proof made to him or them that reasonable Notice of the Intention to make such Application has been given to some or one of Her Majesty's Principal Secretaries of State in *Great Britain*, or in *Ireland* to the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, to order the Person so committed to be discharged out of Custody, unless sufficient Cause shall be shown to such Judge or Judges why such Discharge ought not to be ordered. After Two Months the Persons apprehended may be discharged, if not conveyed out of Her Majesty's Dominions.

V. And be it enacted, That if, by any Law or Ordinance to be hereafter made by the local Legislature of any *British* Colony or Possession abroad, Provision shall be made for carrying into complete Effect within such Colony or Possession the Objects of this present Act by the Substitution of some other Enactment in lieu thereof, then it shall be competent to Her Majesty, with the Advice of Her Privy Council, (if to Her Majesty in Council it shall seem meet, but not otherwise,) to suspend the Operation within any such Colony or Possession of this present Act so long as such substituted Enactment shall continue in force there, and no longer. Limits of the Act.

VI. And be it enacted, That this Act shall continue in force during the Continuance of the said Convention. Continuance of Act.

CAP. LXXVI.

An Act for giving effect to a Treaty between Her Majesty and the United States of *America* for the Apprehension of certain Offenders. [22d *August* 1843.]

'WHEREAS by the Tenth Article of a Treaty between Her Majesty and the United States of *America*, signed at *Washington* on the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, the Ratifications whereof were exchanged at *London* on the Thirteenth Day of *October* in the same Year, it was agreed that Her Majesty and the said United States should, upon mutual Requisitions by them or their Ministers, Officers, or Authorities respectively made, deliver up to Justice all Persons who, being charged with the Crime of Murder, or Assault with Intent to commit Murder, or Piracy, or Arson, or Robbery, or Forgery, or the Utterance of forged Paper, committed within the Jurisdiction of either of the High Contracting Parties, should seek an Asylum or should be found within the Territories of the other; provided that this should only be done upon such Evidence of Criminality as according to the Laws of the Place where the Fugitive or Person so charged should be found would justify his Apprehension and Commitment for Trial if the Crime or Offence had been there committed, and that the respective Judges and other Magistrates of the Two Governments should have Power, Jurisdiction, and Authority, upon Complaint made under Oath, to issue a Warrant for the Apprehension of the Fugitive or Person so charged, so that he might be brought before such Judges or other Magistrates respectively, to the end that the Evidence of Criminality might be heard and considered, and if on such Hearing the Evidence should be deemed sufficient to sustain the Charge it should be the Duty of the examining Judge or Magistrate to certify the same to the proper executive Authority, that a Warrant might issue for the Surrender of such Fugitive, and that the Expence of such Apprehension and Delivery should be borne and defrayed by the Party making the Requisision and receiving the Fugitive; and it is by the Eleventh Article of the said Treaty further agreed, that the Tenth Article, herein-before recited should continue in force until one or other of the High Contracting Parties should signify its Wish to terminate it, and no longer: And whereas it is expedient that Provision should be made for carrying the said Agreement into effect;' be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case Requisition shall at any Time be made by the Authority of the said United States, in pursuance of and according to the said Treaty, for the Delivery of any Person charged with the Crime of Murder, or Assault with Intent to commit Murder, or with the Crime of Piracy, or Arson, or Robbery, or Forgery, or the Utterance of forged Paper, committed within the Jurisdiction of the United States of *America*, who shall be found within the Territories of Her Majesty, it shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal to signify that such Requisition has been so made, and to require all Justices of the Peace and other Magistrates and Officers of Justice within their several Jurisdictions to govern themselves accordingly, and to aid in apprehending the Person so accused, and committing such Person to Gaol, for the Purpose of being delivered up to Justice, according to the Provisions of the said Treaty; and thereupon it shall be lawful for any Justice of the Peace, or other Person having Power to commit for Trial Persons accused of Crimes against the Laws of that Part of Her Majesty's Dominions in which such supposed Offender shall be found, to examine upon Oath any Person or Persons touching the Truth of such Charge, and upon such Evidence as according to the Laws Certain Offenders to be apprehended on Requisition of the United States.

of that Part of Her Majesty's Dominions would justify the Apprehension and Committal for Trial of the Person so accused if the Crime of which he or she shall be so accused had been there committed it shall be lawful for such Justice of the Peace, or other Person having Power to commit as aforesaid, to issue his Warrant for the Apprehension of such Person, and also to commit the Person so accused to Gaol, there to remain until delivered pursuant to such Requisition as aforesaid.

Copies of the Depositions may be given in Evidence.

II. Provided always, and be it enacted, That in every such Case Copies of the Depositions upon which the original Warrant was granted, certified under the Hand of the Person or Persons issuing such Warrant and attested upon the Oath of the Party producing them to be true Copies of the original Depositions, may be received in Evidence of the Criminality of the Person so apprehended.

Offenders to be delivered up.

III. And be it enacted, That upon the Certificate of such Justice of the Peace, or other Person having Power to commit as aforesaid, that such supposed Offender has been so committed to Gaol, it shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, by Warrant under his Hand and Seal to order the Person so committed to be delivered to such Person or Persons as shall be authorized in the Name of the said United States to receive the Person so committed, and to convey such Person to the Territories of the said United States, to be tried for the Crime of which such Person shall be so accused, and such Person shall be delivered up accordingly, and it shall be lawful for the Person or Persons authorized as aforesaid to hold such Person in Custody, and take him or her to the Territories of the said United States, pursuant to the said Treaty; and if the Person so accused shall escape out of any Custody to which he or she shall be committed, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such Person in the same Manner as any Person accused of any Crime against the Laws of that Part of Her Majesty's Dominions to which he or she shall so escape may be retaken upon an Escape.

After Two Months the Persons apprehended may be discharged, if not conveyed out of Her Majesty's Dominions.

IV. And be it enacted, That where any Person who shall have been committed under this Act, to remain until delivered up pursuant to Requisition as aforesaid, shall not be delivered up pursuant thereto, and conveyed out of Her Majesty's Dominions within Two Calendar Months after such Committal, over and above the Time actually required to convey the Prisoner from the Gaol to which he or she was committed by the readiest Way out of Her Majesty's Dominions, it shall in every such Case be lawful for any of Her Majesty's Judges in that Part of Her Majesty's Dominions in which such supposed Offender shall be in Custody, upon Application made to him or them by or on behalf of the Person so committed, and upon Proof made to him or them that reasonable Notice of the Intention to make such Application has been given to some or one of Her Majesty's Principal Secretaries of State, or in *Ireland* to the Chief Secretary of the Lord Lieutenant of *Ireland*, and in any of Her Majesty's Colonies or Possessions abroad for the Officer administering the Government of any such Colony or Possession, to order the Person so committed to be discharged out of Custody, unless sufficient Cause shall be shown to such Judge or Judges why such Discharge ought not to be ordered.

Limits of the Act.

V. And be it enacted, That if, by any Law or Ordinance to be hereafter made by the local Legislature of any *British* Colony or Possession abroad, Provision shall be made for carrying into complete Effect within such Colony or Possession the Objects of this present Act, by the Substitution of some other Enactment in lieu thereof, then it shall be competent to Her Majesty, with the Advice of Her Privy Council, (if to Her Majesty in Council it shall seem meet, but not otherwise,) to suspend the Operation within any such Colony or Possession of this present Act so long as such substituted Enactment shall continue in force there, and no longer.

Continuance of Act.

VI. And be it enacted, That this Act shall continue in force during the Continuance of the Tenth Article of the said Treaty.

CAP. LXXVII.

An Act for regulating the Cathedral Churches of *Wales*. [22d *August* 1843.]

3&4 Vict. c. 113. 4 & 5 Vict. c. 39.

'WHEREAS an Act was passed in the Fourth Year of Her Majesty's Reign, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*; and another Act was passed in the Fifth Year of Her Majesty's Reign, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for* England: And whereas it is expedient to extend the Provisions of the said recited Acts to the Dioceses and Cathedral Churches of *Saint Asaph* and *Bangor*, and to alter and amend some of the said Provisions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all the Provisions of the said recited Acts shall, subject to the further Enactments herein-after contained, extend and apply to the said Dioceses and Cathedral Churches of *Saint Asaph* and *Bangor*, and to the Bishops of the same Dioceses, and to all Ecclesiastical Rectories without Cure of Souls, and all Benefices with Cure of Souls, and all Parishes and Places, therein, and to the Dignities, Offices, Canonries, and Prebends of the same Churches, and the respective Holders thereof.

Recited Acts extended to St. Asaph and Bangor.

Four Canons Residentiary at St. Asaph, Bangor, St. David's, and Llandaff.

II. And be it enacted, notwithstanding any thing in the said recited Acts contained, That in each of the Chapters of the Cathedral Churches of *Saint Asaph*, *Bangor*, *Saint David's*, and *Llandaff* there shall be Four Canonries Residentiary, and no more; and such Canonries shall be in the direct Patronage of the Bishops of *Saint Asaph*, *Bangor*, *Saint David's*, and *Llandaff* respectively.

III. Pro-

III. Provided always, and be it enacted, That, so soon as conveniently may be after the passing of this Act, Arrangements shall be made, by the Authority in the said recited Acts provided, for permanently annexing Two of such Four Canonries Residentiary, in such Cathedral Churches respectively, to Two Archdeaconries, in the respective Dioceses in which such Churches are situate. Two Canonries Residentiary to be annexed to Two Archdeaconries.

IV. And be it declared and enacted, That the Dean of each of the said Four Cathedral Churches shall be the Head of the Chapter thereof, and shall have Precedence over all other Members of such Chapter; and that such Dean and the Canons Residentiary respectively of each such Church shall possess and may exercise all the like Rights, Power, and Authority as are and may be possessed and exercised by the Dean and Canons respectively of any Cathedral Church in *England* founded by King *Henry* the Eighth. Rights and Powers of Dean and Canons.

V. And be it enacted, That so much of the said recited Acts as relates to the Cure of Souls in the Parish of *Saint David* in the Diocese of *Saint David's*, and in the Parishes of *Llandaff* and *Whitchurch* in the Diocese of *Llandaff*, shall be repealed; and that it shall be lawful, if it be deemed expedient, by the Authority herein-before mentioned, with the Consent of the Bishop of *Llandaff* for the Time being, to declare and provide that the Cure of Souls in and over the respective Parishes of *Llandaff* and *Whitchurch*, or either of them, shall be vested in One Spiritual Person as Perpetual Incumbent thereof, and that such Bishop and his Successors shall from Time to Time collate, or nominate and license, as the Case may be, a Spiritual Person to be such Incumbent, and also, with the like Consent and with the Consent of the Dean and Chapter, to endow such Parishes, or either of them, in such Manner and to such Amount as may appear expedient; and upon any such Declaration being made in the Case of the Parish of *Llandaff*, the respective Rights and Duties to be exercised and performed within and over the Cathedral Church by the Dean and Chapter, Dean, Canons, and Minor Canons thereof, and by such Incumbent as aforesaid, respectively, shall be defined by the like Authority, with the like Consents. 3&4 Vict. c. 113. §§ 38. 40. in part repealed, and Provision made for the Cathedral Parishes.

VI. And be it declared and enacted, That the average annual Incomes of the Deans and Canons Residentiary of the said Four Cathedral Churches shall be of the same Amounts respectively as are fixed as the average annual Incomes of the Deans and Canons respectively of the Cathedral Churches of *Saint David's* and *Llandaff* by the said first-recited Act, and that the Provisions of the said recited Acts, respecting the Augmentation of the Incomes of Deans and Canons, shall be construed to authorize the Augmentation of the Incomes of the respective Deans and Canons Residentiary aforesaid, out of the common Fund in the said first-recited Act mentioned. Incomes of Deans and Canons may be augmented out of the common Fund.

VII. And be it enacted, That it shall be lawful, by the Authority herein-before mentioned, to provide, out of the same Fund, One fit House at *Saint Asaph*, *Bangor*, and *Llandaff* respectively, as a House of Residence for the Use of the Canons Residentiary of the Cathedral Churches of the said Cities respectively, and also a fit House of Residence for the Dean of *Llandaff*. Houses of Residence to be provided at St. Asaph, &c.

VIII. And be it enacted, That from and after the passing of this Act the Dignity and Office of Archdeacon of *Saint Asaph* shall no longer be holden by the Bishop of *Saint Asaph*, and the Dignities and Offices of Archdeacon of *Bangor* and Archdeacon of *Anglesea* shall be dissevered from the Bishoprick of *Bangor*, and be no longer holden by the Bishop of *Bangor*, and the Archdeaconry of *Anglesea* shall be incorporated with and form Part of the Archdeaconry of *Bangor*; provided that nothing herein contained shall affect any Lands, Tithes, Tenements, or other Hereditaments, or Endowments, now forming Part of the Property and Revenues of the respective Sees of *Saint Asaph* and *Bangor*. Archdeaconries to be separated from Bishopricks.

IX. And be it enacted, That the Dignity and Office of Archdeacon of *Llandaff* may, by the Authority herein-before mentioned, be separated from the Deanery of *Llandaff*: Provided always, that such Separation shall not take place before the next Vacancy of the said Deanery without the Consent of the present Dean. Archdeaconry separated from Deanery of Llandaff.

X. And be it enacted, That within One Calendar Month after the passing of this Act the Treasurer of the Governors of the Bounty of Queen *Anne* shall deliver to the Ecclesiastical Commissioners for *England* a full and particular Account of all Monies received and paid by him, under and by virtue of any Act of Parliament, on account of the said Dioceses and Cathedral Churches of *Saint Asaph* and *Bangor* respectively, and of all Things done by him, and of all Proceedings then pending in respect thereof; and that, within such Time after the Delivery of such Account as shall be specified in any Order made upon him for that Purpose by the said Commissioners, he shall pay and deliver, or cause to be paid and delivered, to the said Commissioners, or into such Bank as shall be named in such Order, to their Account, for the Purposes of this Act, all Monies then remaining in his Hands or to his Account, and all Exchequer Bills and other Securities for Money, and all Books of Accounts, Papers, and Writings, in his Possession or Power, in respect thereof; and that it shall be lawful for the said Commissioners to allow to the said Treasurer in his Accounts such Sum of Money as shall appear to them to be just and reasonable, in compensation for his Pains and Trouble, and also all proper Costs, Charges, and Expences incurred in the Execution of the Trusts reposed in him by any such Act in relation to the Matters aforesaid; and that the Receipt in Writing of the said Commissioners under their Common Seal shall be an effectual Discharge to the said Treasurer for all Monies and other Things therein expressed to be received by them. Treasurer of Queen Anne's Bounty to pay over Proceeds of suspended Canonries, &c.

XI. And be it enacted, That the Provisions of the first-recited Act, whereby the Interests of Persons in Possession at the Time of the passing thereof were in any Manner protected, shall be deemed to be repeated in this Act, so as to protect the Interests of all Persons in Possession at the Time of the passing hereof, in the like respects and to the same Extent as the Interests of such first-mentioned Persons are so protected as aforesaid. Vested Interests protected.

XII. And be it enacted, That out of the Proceeds of any Lands, Tithes, Tenements, or other Hereditaments in the Principality of *Wales*, vested or to be vested in the Ecclesiastical Commissioners for *England* by or under the Provisions of the said recited Acts or this Act, it shall be lawful, by the Authority herein-before Appointment, &c. of Welsh Clergymen to officiate in

London or Westminster.

before mentioned, to make Provision, in whole or in part, for the competent Maintenance of any Spiritual Person or Persons (being a Native or Natives of the Principality aforesaid) who may be licensed by the Bishop of the Diocese for the Time being to officiate in any Church or Chapel within *London* or *Westminster* or the Suburbs thereof, duly consecrated for the Performance of Divine Service according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, in the *Welch* Language; and such Bishop is hereby authorized to license any such Spiritual Person or Persons accordingly.

Better Provision for St. David's College at Lampeter.

XIII. And be it enacted, That so much of the said first-recited Act as relates to the College of *Saint David's* at *Lampeter* shall be repealed; and that, so soon as conveniently may be, and by the Authority herein-before mentioned, Arrangements may be made for effecting the Sale, to any Person or Persons or Body Corporate capable of holding the same, of the Advowsons of the several Benefices with Cure of Souls now annexed to the said College, and for investing the Proceeds of such Sales respectively for the Use and Benefit of the said College; and that if, after the Sales of the Advowsons of all such Benefices, it shall be made to appear to the said Ecclesiastical Commissioners that the said College, when it shall be in the Enjoyment of the Use and Benefit of the whole Proceeds of all such Sales when so invested as aforesaid, will still not be competently endowed, it shall be lawful, by the like Authority, to transfer to the said College, in Augmentation of the Endowment thereof, any of the Lands, Tithes, Tenements, or other Hereditaments aforesaid, or of the Proceeds thereof.

Powers of former Acts extended to this Act.

XIV. And be it enacted, That all the Powers and Authorities vested in Her Majesty in Council and in the said Commissioners by the first-recited Act, with reference to the Matters therein contained, and all other Provisions of the same Act relating to Schemes and Orders prepared, made, and issued for the Purposes thereof, shall be continued and extended and apply to Her Majesty in Council, and to the said Commissioners, and to all Schemes and Orders prepared, made, and issued by them respectively, with reference to all Matters contained in this Act, as fully and effectually as if the said Powers, Authorities, and other Provisions were repeated herein.

Repeal of 5&6 Vict. c. 112. in part.

XV. And be it enacted, That so much of an Act passed in the last Session of Parliament, intituled *An Act for suspending, until the First Day of* October *One thousand eight hundred and forty-three, Appointments to certain Ecclesiastical Preferments in the Dioceses of* Saint Asaph *and* Bangor, *and for securing certain Property to the said Sees*, as relates to the Continuance of certain temporary Acts therein recited, shall be repealed; provided that nothing herein contained shall prejudice or affect any thing done or any Proceeding pending under or by virtue of or relating to the Provisions of the said therein recited Acts or either of them.

Act may be amended, &c.

XVI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

C A P. LXXVIII.

An Act for the further Regulation of the Offices of Chief and Second Remembrancer of the Court of Exchequer in *Ireland*. [22d *August* 1843.]

4 G. 4. c. 70. s. 28.

'WHEREAS by an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better Administration of Justice on the Equity Side of the Court of Exchequer in* Ireland, it was enacted, that there should be issued and paid and payable, during his good Behaviour, to the Chief Remembrancer of the Court of Exchequer in *Ireland* for the Time being, out of the Consolidated Fund of the United Kingdom, the annual Sum of Three thousand Pounds *Irish* Currency: And whereas it is expedient to make other Provisions in respect of the Salary of such Office, and also to reduce the Salary of the Second Remembrancer of the said Court:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from the Date of the Resignation of the said Office of Chief Remembrancer by the Right Honourable *Anthony Richard Blake* the annual Sum of Three thousand Pounds *Irish* Currency, payable to such Officer under the said recited Act, shall cease to be so payable, and that there shall be paid to every Chief Remembrancer for the Time being to be hereafter appointed the Salary of Two thousand Pounds *per Annum British* Currency, which Salary shall be issued and paid out of and be charged upon the Consolidated Fund of the United Kingdom in like Manner and subject in all respects to the like Provisions, Conditions, and Regulations as by the said recited Act made and provided in respect of the said annual Sum of Three thousand Pounds.

Salary of the future Chief Remembrancer fixed at 2,000*l.* per Annum.

Salary of the Second Remembrancer to be reduced, on the Vacancy of that Office, to 1,000*l.*

II. 'And whereas it is expedient that on the Vacancy of the Office of Second Remembrancer of the said Court of Exchequer the Salary of the said Office shall be reduced;' be it therefore enacted, That there shall be allowed to every Second Remembrancer of the said Court hereafter to be appointed a Salary not exceeding One thousand Pounds *per Annum*, which Salary shall be paid and payable in like Manner and subject in all respects to the like Provisions, Conditions, and Regulations as are made and provided in respect of the Salary now payable to such Officer by and under the Provisions of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for facilitating the Appointment of Sheriffs in* Ireland, *and for the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer in* Ireland; *and to amend the Laws relating to Grants in custodiam and Recovery of Debts*

5&6 W. 4. c. 55.

Debts in Ireland; *and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in* Ireland *to the Commissioners for auditing the Public Accounts in* Great Britain.

From Date of Appointment of any future Chief Remembrancer 500*l.* shall be paid annually into the Consolidated Fund, out of the Produce of Fines and Penalties in Ireland; and from the Appointment of any future Second Remembrancer a like Sum out of the Counties Fee Fund Account.

III. And be it enacted, That, from and after the Date of the Letters Patent appointing any Chief Remembrancer of the said Court to be hereafter appointed, the surplus Monies arising to the Credit of the Receiver for the Constabulary Force in the Counties Fines and Penalties Account in the Bank of *Ireland*, or the Branches thereof, under the Provisions of any Act passed or to be passed in this present Session of Parliament, shall be charged with an annual Sum of Five hundred Pounds, which annual Sum shall be paid thereout, in priority and preference to any other Appropriation thereof, at such Times and in such Manner as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall from Time to Time direct, and shall be paid into the Receipt of Her Majesty's Exchequer at *Dublin*, and carried to the Credit of the said Consolidated Fund, a separate Account being kept thereof; and that from and after the Date of the Letters Patent appointing any Second Remembrancer of the said Court to be hereafter appointed the Fee Fund established under the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for Public Monies, and to secure the same,* shall be charged with an annual Sum of Five hundred Pounds, which annual Sum shall be paid thereout, in priority and preference to any other Appropriation thereof, at such Times and in such Manner as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall from Time to Time direct, and shall be paid into the Receipt of Her Majesty's Exchequer at *Dublin*, and carried to the Credit of the said Consolidated Fund, a separate Account being kept thereof.

The Duty of auditing the Accounts of Treasurers of Counties in Ireland declared to be annexed to the Office of the Chief Remembrancer.

IV. 'And whereas under and by virtue of the herein-before recited Act of the First Year of the 'Reign of Her present Majesty the Lord Lieutenant or other Chief Governor or Governors of *Ireland* 'did, with the Consent of the then Chief Remembrancer of the Court of Exchequer in *Ireland*, 'annex the Duty of auditing and declaring the Accounts of the several Treasurers of Counties and 'Counties of Cities and Towns to the Office of such Chief Remembrancer: And whereas it is expe-'dient that such Duty shall be declared to be permanently annexed to the said Office of Chief Remem-'brancer of the said Court;' be it therefore and it is hereby declared and enacted, That the Audit and Declaration of the said Accounts do and shall form Part of the Duties of the said Office of Chief Remembrancer, to be by him performed in Person; subject nevertheless to such Regulation of the Offices of Chief and Second Remembrancer of the said Court, and to such Distribution of Duties between them, as may at any Time be made under the Provisions herein-after contained.

Distribution of the Business between the Chief and Second Remembrancer.

V. Provided always, and be it enacted, That it shall be lawful for the Lord Chief Baron of the said Court of Exchequer, and any Three or more of the Commissioners of Her Majesty's Treasury for the Time being, to regulate from Time to Time, as they may think proper, the Duties to be discharged by the Chief Remembrancer and Second Remembrancer of the Court of Exchequer in *Ireland* respectively, and to annex to either of such Offices the aforesaid Duty of auditing and declaring the said Accounts, or any other Duty by Law or Statute now annexed to the other of such Offices; and the future Powers and Duties of either Office so regulated shall be such as shall be assigned to it in and by such Regulations as the said Lord Chief Baron and any Three or more of the said Commissioners of Her Majesty's Treasury shall, by Order signed by them, make in that Behalf; and any Provisions or Enactments theretofore made touching such Office shall thenceforth cease and be repealed, save as to any Act or Acts theretofore done; and such Regulations shall take effect in lieu of such Provisions and Enactments.

The Superannuation Allowances of the Chief Remembrancer reduced.

VI. 'And whereas on the Reduction of the Salary of the Chief Remembrancer as herein-before enacted 'it is expedient to reduce also the Amount of the several Annuities which Her Majesty is now by Law 'enabled to grant to the Chief Remembrancer on his Retirement from Office;' be it therefore enacted, That in lieu of the respective Sums which Her Majesty, Her Heirs and Successors, under the herein-before recited Act of the Fourth Year of the Reign of King *George* the Fourth, is empowered, after certain Periods of Service, to give and grant to any Person who may have executed the Office of Chief Remembrancer in *Ireland*, it shall and may be lawful for Her Majesty, Her Heirs and Successors, by Letters Patent under the Great Seal of *Ireland*, to give and grant unto any Person who may or shall have executed the Office of Chief Remembrancer of the said Court, and who shall after his Appointment to any such Office have become afflicted with any permanent Infirmity disabling him from the due Execution of his Office, and be desirous of resigning the same, an Annuity or yearly Sum of Money not exceeding the Sum of Six hundred and fifty Pounds in case he shall have served in such Office Ten Years, and not exceeding One thousand Pounds in case he shall have served in such Office Twenty Years, and an Annuity not exceeding One thousand five hundred Pounds in case he shall have served in such Office for Thirty Years or more; in which Letters Patent the Cause or Ground for making thereof shall be distinctly stated and specified, and which respective Annuities so to be granted shall be charged upon and paid out of the said Consolidated Fund, in the Manner and subject to the Provisions made by the said recited Act of the Fourth Year of the Reign of His said Majesty King *George* the Fourth in respect of the several annual Sums grantable as aforesaid thereunder: Provided always, that if any such Chief Remembrancer shall have previously held the Office of Second Remembrancer of the said Court, it shall be lawful, in estimating the said several Periods of his Service as Chief Remembrancer, to reckon any Period during which he may have previously served in and executed the Duties of Second Remembrancer of the said Court: Provided also, that nothing herein

herein contained shall prejudice or affect any Grant of Annuity made under the Provisions of the said recited Act before the passing of this Act.

Act may be amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. LXXIX.

An Act to carry into effect a Convention between Her Majesty and the King of the *French* concerning the Fisheries in the Seas between the *British* Islands and *France*. [22d *August* 1843.]

'WHEREAS a Convention was concluded between Her Majesty and the King of the *French* on the 'Second Day of *August* in the Year One thousand eight hundred and thirty-nine defining the 'Limits of the Oyster Fishery between the Island of *Jersey* and the neighbouring Coast of *France*, and 'also defining the Limits of the exclusive Right of Fishery on all other Parts of the Coasts of the *British* 'Islands and *France*: And whereas by the Eleventh Article of the said Convention it is stipulated 'and agreed, that "With a view to prevent the Collisions which now from Time to Time take place on 'the Seas lying between the Coasts of *Great Britain* and of *France* between the Trawlers and the Line 'and long Net Fishers of the Two Countries, the High Contracting Parties agree to appoint, within 'Two Months after the Exchange of the Ratifications of the present Convention, a Commission, con-'sisting of an equal Number of Individuals of each Nation, who shall prepare a Set of Regulations for 'the Guidance of the Fishermen of the Two Countries in the Seas above mentioned; the Regulations 'so drawn up shall be submitted by the said Commissioners to the Two Governments respectively for 'Approval and Confirmation; and the High Contracting Parties engage to propose to the Legislatures 'of their respective Countries such Measures as may be necessary for the Purpose of carrying into 'effect the Regulations which may be thus approved and confirmed:" And whereas, pursuant to the 'said Convention, Commissioners duly appointed and authorized by Her Majesty and His Majesty the 'King of the *French* respectively have agreed upon certain Articles set forth in the Schedule annexed 'to this Act for the Guidance of the Fishermen of the Two Countries in the Seas lying between the 'Coasts of the United Kingdom of *Great Britain* and *Ireland* and those of the Kingdom of *France*, 'which Articles, in further Fulfilment of the said Convention, have been approved and confirmed on the 'Part of Her Majesty by One of Her Majesty's Principal Secretaries of State, and on the Part of His 'Majesty the King of the *French* by the Ambassador Extraordinary of His said Majesty to the Court of '*London*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Articles shall be binding on all Persons, and shall have the Force of Law, as fully as if they were herein severally and specially enacted.

Confirmation of Articles.

Amendment of 13 & 14 Car. 2. c. 28.

II. 'And whereas by the said Convention and Articles *French* Fishermen are forbidden to fish in the 'Seas between the *British* Islands and *France* within the Distance of Three Miles from Low-water 'Mark, as defined in the said Convention and Articles, but are not forbidden to fish anywhere beyond 'the said Distance of Three Miles: And whereas by an Act passed in the Reign of King *Charles* the 'Second, intituled *An Act for the Regulation of the Pilchard Fishery in the Counties of* Devon *and* 'Cornwall, the taking of Fish in the Manner therein mentioned is forbidden, unless it be at the Distance 'of One League and a Half at least from the Shores of *Devon* and *Cornwall* respectively;' be it enacted, That after the passing of this Act the said Act of the Reign of King *Charles* the Second shall be construed as if instead of the Distance of One League and a Half the Distance specified in the said Convention and Articles had been therein inserted and specified as the Distance within which such taking of Fish as is therein mentioned is forbidden, that is to say, the Distance of Three geographical Miles (of which Sixty make a Degree of Latitude), which Distance shall be reckoned from Low-water Mark, except in Bays, the Mouths of which do not exceed Ten such geographical Miles in Width; and for such Bays shall be reckoned from a straight Line drawn from Low-water Mark off one Headland to Low-water Mark off the other Headland of such Bays respectively.

For enforcing Convention and Articles.

III. And be it enacted, That it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, if and when they shall think fit, to appoint so many Persons as they shall think necessary to ensure the due Execution of the said Convention and Articles, and it shall be lawful for every Person so authorized, at all reasonable Times, upon producing his Authority, if required, to board or enter upon and examine every *British* Vessel, and to examine the Nets, Instruments, and Implements of Fishing thereunto belonging or used therewith; and if any of the said Nets, Instruments, or Implements of Fishing shall be found in contravention of the said Convention and Articles they shall be forfeited to Her Majesty, and the Person in whose Possession the same shall be found shall, on Conviction, be liable to a Penalty of not less than Eight Shillings or more than Three Pounds, or to be imprisoned, with or without hard Labour, for any Time not less than Two Days and not longer than Ten Days, or if convicted more than once of having such unlawful Nets, Instruments, or Implements in his Possession, shall be liable to a Penalty not more than Six Pounds, or to be imprisoned, with or without hard Labour, for any Time not longer than Twenty Days.

Board of Trade empowered to make Bye Laws for Protection of Fisheries.

IV. And be it enacted, That it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, from Time to Time as may become necessary, to make and ordain such Rules and Bye Laws as to them shall seem expedient for the more effectual Performance of the said Convention and Articles, and from Time to Time to annul or alter the same, and substitute

substitute others instead thereof; and it shall be lawful for the Lords of the said Committee to impose any Penalty not exceeding Five Pounds in all Cases where any Penalty is not fixed by this Act or by the said Articles for any Breach of the said Rules and Bye Laws, and to direct that all Nets, Instruments, or Implements of Fishing whatsoever used contrary to any of such Rules and Bye Laws shall be forfeited, destroyed, or removed, as the Case may require; provided always, that all such Rules and Bye Laws shall be approved by Her Majesty, with the Advice of Her Privy Council, and all the said Rules and Bye Laws, when so approved and confirmed, and until annulled or altered by the like Authority, shall be binding on all Persons as if the same had been herein enacted.

Publication of Bye Laws.

V. And be it enacted, That the said Rules and Bye Laws, when approved as aforesaid, shall be printed, and a Copy of the same shall be deposited with the Clerk of the Peace for each County adjoining the Seas in which such Rules and Bye Laws are proposed to be enforced, and in the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, and *Man*, and with all the Collectors of the Customs and Coast-guard Officers at the different Stations, and in such and so many Places as to the Lords of the said Committee shall seem fit; and printed Copies of the said Rules and Bye Laws shall be provided by the Lords of the said Committee, and sold at a Price not exceeding One Shilling for each Copy; and Notice, both of the Publication of the same, and the Place or Places where the same may be bought, shall be given for Three Calendar Months subsequent to the Publication thereof in such of the Metropolitan and Provincial Newspapers as the Lords of the said Committee shall appoint; and for the Purpose of convicting any Person offending against the said Rules and Bye Laws, a printed Copy of such Rules and Bye Laws obtained from the Office of any Clerk of the Peace with whom the same may be lodged, and certified by him to be a true Copy thereof, shall be taken as Evidence of such Rules and Bye Laws, and the due Publication thereof.

Articles may be suspended in Ireland while there is no Mixed Fishery there.

5&6 Vict. c. 106.

VI. 'And whereas an Act was passed in the last Session of Parliament, intituled *An Act to regulate the* 'Irish *Fisheries*, and it is not expedient to interfere with the Provisions of the said Act further than is 'necessary for giving full Effect to the said Convention and Articles;' be it enacted, That it shall be lawful for the Lords of the said Committee, by a Rule or Rules to be made by them from Time to Time, and approved of by Her Majesty with the Advice of Her Privy Council, to suspend the Operation of the said Articles and of this Act, or such Part of them as to them shall seem fit, with respect to the Fisheries on the Coast of *Ireland*, or on any Part thereof, so long as such Fisheries shall be carried on exclusively by the Subjects of Her Majesty, and also, with the like Approval, to make such Bye Laws as to them shall seem fit for enforcing the said Articles and this Act on the said Coast of *Ireland*, or on any Part thereof, as soon as the same shall be frequented for the Purpose of Fishery by *French* Fishermen.

Rules and Bye Laws to be laid before Parliament.

VII. And be it enacted, That all Rules and Bye Laws made by the Lords of the said Committee in pursuance of this Act shall be laid before Parliament within Six Weeks next after the Approval thereof by Her Majesty, if Parliament be then sitting, or if not, then within Six Weeks next after the next Meeting of Parliament.

Repeal of Part of 5&6 Vict. c. 106.

VIII. And be it enacted, That so much of the last-recited Act as provides that the Commissioners of Public Works in *Ireland* shall divide the Coast of *Ireland* into Districts, for the Purpose of keeping a Registry of all Vessels engaged in Fishing on the said Coast, shall be repealed; and that the several Collectorships of Customs on the Coast of *Ireland* shall be substituted for the Districts established under the Authority of the said Act; and that the Numbers, Marks, and Letters by which all *British* Vessels engaged in Fishing between the Coasts of the United Kingdom and *France* shall be distinguished shall be in conformity with the said Convention and Articles; and the Registry of all such Vessels shall be kept under the Superintendence of the Commissioners of Her Majesty's Customs, and in conformity with the said Convention and Articles.

Officers and Men of Her Majesty's Cruisers, and Officers and Men of Revenue and Coast-guard Service, empowered to enforce the Provisions of this Act.

IX. And be it enacted, That it shall be lawful for such Officers and Petty Officers belonging to Her Majesty's Navy or Revenue Service, and for such Officers and Men of the Coast-guard Stations as shall be thereunto authorized by the Commissioners of Her Majesty's Customs, and such Persons as shall be appointed as aforesaid by the Lords of the said Committee, subject to such Directions as the Lords of the said Committee shall from Time to Time think fit to prescribe, to go on board any *British* Vessel employed in Fishing, and examine the Certificate of Registry, and Nets, Instruments, and Implements of Fishing belonging to or used with such Vessel, and whether the Regulations of this Act have been complied with, and whether the Master or other Persons on board such Vessel are carrying on the said Fishery in the Manner hereby required, and to seize any Nets, Instruments, or Implements of Fishing which are illegal or used contrary to the Provisions of this Act, or any of the Rules or Bye Laws made by the Lords of the said Committee; and it shall be lawful for the Officers and Men employed in Her Majesty's Navy or Revenue Service, and in the Coast-guard Service, and such other Persons as shall be appointed for that Purpose by the Lords of the said Committee, to execute for the Purposes of this Act, on Sea or on Land, the Warrants of any Justice or Justices of the Peace as fully as any Person authorized to execute Warrants of any Justice of the Peace may now execute the same on Land within their respective Districts, and also to do all such other Acts on Sea or Land, in relation to the Preservation of the Peace among Persons engaged in Fishing, and the Enforcement of the Provisions of this Act, as any Constable may lawfully do within the Limits of his Jurisdiction.

Penalty for obstructing Persons on Duty.

X. And be it enacted, That every Person assaulting, resisting, or wilfully obstructing any other Person, duly authorized under the Provisions of this Act to enforce the Execution of the said Articles, in the Performance of his Duty, on Conviction before any Magistrate or Justice of the Peace by the Oath of any

any credible Witness, or upon his own Confession, shall be liable to a Penalty not more than Five Pounds, or may be imprisoned, with or without hard Labour, for any Time not longer than Twenty-one Days.

Who shall have cognizance of Offences by British Subjects.

XI. And be it enacted, That all Offences against the said Articles, or against any Rule or Bye Law made in pursuance of this Act, committed by any of Her Majesty's Subjects, may be heard and determined upon the Oath of any credible Witness or Witnesses, or upon the Confession of the Party accused, by any Magistrate or Justice of the Peace having Jurisdiction in the County or Place in which or in the Waters adjacent to which the Offence shall be committed or to which the Offender shall be brought; and every such Magistrate or Justice of the Peace shall have Power to award the Penalties provided by the said Articles, or by any such Rule or Bye Law respectively, for the Offence of which the Offender shall be convicted; and whenever any pecuniary Penalty and Forfeiture shall be imposed on any such Offender, and shall not be forthwith paid, with the reasonable Costs and Charges attending the Conviction, the same shall be levied by Distress and Sale of the Goods of the Offender by Warrant under the Hand and Seal of such Magistrate or Justice of the Peace.

Who shall have cognizance of Offences by French Subjects within the British Fishery Limits.

XII. And be it enacted, That all Offences against the said Articles, or against any Rule or Bye Law made in pursuance of this Act, committed by any Subject of the King of the *French*, or any Person serving on board any *French* Fishing Boat or Vessel, within the Limits within which the general Right of Fishery is by the said Articles exclusively reserved to the Subjects of Her Majesty, may be heard and determined upon the Oath of any credible Witness or Witnesses, or upon the Confession of the Party accused, by any Magistrate or Justice of the Peace having Jurisdiction in the County or Place in which or in the Waters adjacent to which the Offence shall have been committed or to which the Offender shall be brought; and the Offender, upon Conviction, shall pay such Penalty not exceeding Ten Pounds as the Magistrate or Justice of the Peace shall award, or instead of awarding a pecuniary Penalty, and also in case of the Nonpayment of any pecuniary Penalty awarded, it shall be lawful for the Magistrate or Justice of the Peace to order that the Vessel to which the Offender belongs shall be detained for any Period not exceeding Three Calendar Months.

Proceedings in case of Offences by French Subjects beyond the British Fishery Limits.

XIII. And be it enacted, That whenever any Subject of the King of the *French*, or any Person serving on board any *French* Fishing Boat or Vessel, charged with any Transgression against the said Convention and Articles, shall be brought into any *British* Port, pursuant to the Sixty-fifth Article, in order that the Offence may be duly established, it shall be lawful for the Person by whom such supposed Offender shall be so brought, or for any Person acting under his Authority, to take such supposed Offender forthwith before a Magistrate or Justice of the Peace, and all Constables and Peace Officers and others shall be required, if necessary, to give their Assistance for that Purpose; and it shall be lawful for the Magistrate or Justice of the Peace before whom any such supposed Offender shall be brought to inquire by all lawful Ways and Means into the Case; and a Copy of the Depositions, Minutes of Proceedings, and all other Documents concerning the Transgression shall be authenticated under the Hand of the Collector of Customs, and shall be sent by him to the *British* Consular Agent residing in the Port to which the Offender's Boat or Vessel belongs.

Compensation for Damage.

XIV. And be it enacted, That in all Cases where the Breach of any of the said Articles, or of any such Rules or Bye Laws, by any of the Subjects of the King of the *French* within the Limits within which the general Right of Fishery is by the said Articles exclusively reserved to the Subjects of Her Majesty, or by any of Her Majesty's Subjects, whether or not within the said Limits, shall have caused any Loss or Damage to any other Party or Parties, it shall be lawful for any Magistrate or Justice of the Peace before whom the Offence shall be inquired into to take Evidence of such Loss or Damage, and to award Compensation to the injured Party, and to enforce Payment of such Compensation, in like Manner as the Payment of any pecuniary Penalty for any Offence against the said Articles may be enforced.

Salvage for Boats, &c. picked up at Sea.

XV. And be it enacted, That whenever any Fishing Boat, Rigging, Gear, or any other Appurtenance of any Fishing Boat, or any Net, Buoy, Float, or other Fishing Implement, shall have been found or picked up at Sea and brought into a *British* Port, and shall not be forthwith delivered to the Collector of Customs, pursuant to the Sixty-first Article, it shall be lawful for any Magistrate or Justice of the Peace, on Application of the said Collector, to issue his Warrant for delivering of the said Articles to such Collector, who shall take possession of the same, and deliver the same to the Owner thereof or his Representative, on Payment to him, for behoof of the Salvors, of such Compensation as the said Collector shall award pursuant to the Sixty-second Article.

Conviction not to be quashed for Want of Form.

XVI. And be it enacted, That no Conviction under this Act shall be quashed, set aside, or adjudged void or insufficient for Want of Form only, or liable to be removed, by Certiorari or otherwise, into Her Majesty's Court of Queen's Bench, or any other of Her Majesty's Courts of Record, but every such Conviction shall be final to all Intents and Purposes unless the same shall be reversed on Appeal as herein-after provided; provided always, that no Person shall be convicted of any Offence committed against the Provisions of this Act unless the Prosecution for the same shall be commenced within Three Calendar Months from the Time of the Commission of such Offence.

Appeal.

XVII. And be it enacted, That, in any Case of a summary Conviction before any Magistrate or Justice of the Peace, any Person who shall think himself aggrieved by the Conviction may appeal to the Court of General or Quarter Sessions of the Peace to be next holden for the County or Place wherein the Cause of Complaint shall have arisen, if such Court shall not be holden within Twenty-one Days next after such Conviction, otherwise to the next Court but One, provided that such Person at the Time of the Conviction, or within Forty-eight Hours thereafter, shall enter into a Recognizance, with Two sufficient

cient Securities conditioned personally to appear at the said Session, to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justice of the Peace by whom such Conviction shall have been made to bind over the Witnesses who shall have been examined in sufficient Recognizances to attend and be examined at the Hearing of such Appeal, and that every such Witness, on producing a Certificate of his being so bound, under the Hand of the said Magistrate or Justice of the Peace, shall be allowed Compensation for his Time, Trouble, and Expences in attending the Appeal, which Compensation shall be paid, in the first instance, by the Treasurer of the County or Borough, in like Manner as in Cases of Misdemeanor, under the Provisions of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in* England; and in case the Appeal shall be dismissed, and the Conviction affirmed, the reasonable Expences of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the Treasurer of the County or Borough by the Appellant. 7 G. 4. c. 64.

XVIII. And be it enacted, That in this Act the Words "*British* Vessel" shall be construed to mean every *British* or *Irish* Fishing Vessel or Fishing Boat, and also every Fishing Vessel or Fishing Boat belonging to any of the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, or *Man*, or any Island thereunto belonging, and the Words "*British* Port" shall be construed to mean any Port of *Great Britain* or *Ireland*, or of any of the said Islands. Meaning of "British Vessel," &c.

XIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHEDULE to which the foregoing Act refers.

REGULATIONS for the Guidance of the Fishermen of Great Britain and of France, in the Seas lying between the Coasts of the Two Countries; prepared in pursuance of the Provisions of the Eleventh Article of the Convention concluded at Paris on the 2d of August 1839 between Her Majesty and the King of the French.

DECLARATION.

The undersigned, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs on the one Part, and the Ambassador Extraordinary of His Majesty the King of the French at the Court of London on the other Part, having examined the annexed Regulations for the Guidance of the Fishermen of Great Britain and of France, in the Seas lying between the Coasts of the Two Countries, which Regulations have been prepared, in pursuance of the Provisions of the Eleventh Article of the Convention concluded at Paris on the 2d of August 1839 between Her Britannic Majesty and His Majesty the King of the French, by the Two Commissioners duly authorized to that Effect by their said Majesties, have, in the Name and on the Behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of His Majesty the King of the French, and by virtue of their respective full Powers, approved and confirmed, and do by these Presents approve and confirm, the said Regulations; reserving to their respective Governments, conformably to the Terms of the above-mentioned Article, to propose, if necessary, to the Legislatures of both Countries the Measures which may be required for carrying the said Regulations into execution.

In witness whereof the undersigned have signed the present Declaration, and have affixed thereto the Seals of their Arms.

Done at London, the Twenty-third Day of June in the Year of our Lord One thousand eight hundred and forty-three.

(L. S.) ABERDEEN.
(L. S.) STE. AULAIRE.

The undersigned, namely,—

On the Part of the United Kingdom of Great Britain and Ireland, Anthony Perrier, Esquire, Her Britannic Majesty's Consul for the Departments of Finistère, Morbihan, and Côtes du Nord in France;

And on the Part of the Kingdom of France, François Lange, Knight of the Royal Order of the Legion of Honour and Commissary of Marine of the First Class;

Duly appointed and authorized by their respective Governments to act as Commissioners for the Purpose of preparing a Set of Regulations for the Guidance of the Fishermen of the Two Countries, in the Seas lying between the Coasts of the United Kingdom and those of the Kingdom of France, in conformity with Article XI. of the Convention between Great Britain and France, signed at Paris on the 2d August 1839:

Have agreed upon the following Articles, which they submit to their respective Governments for Approval and Confirmation:—

ARTICLE I.—British and French Subjects fishing in the Seas lying between the Coasts of the United Kingdom of Great Britain and Ireland and those of the Kingdom of France shall conform to the following Regulations.

ARTICLE II.—The Limits within which the general Right of Fishery is exclusively reserved to the Subjects of the Two Kingdoms respectively are fixed (with the Exception of those in Granville Bay) at Three Miles Distance from Low-water Mark.

With respect to Bays, the Mouths of which do not exceed Ten Miles in Width, the Three Mile Distance is measured from a straight Line drawn from Headland to Headland.

ARTICLE III.—The Miles mentioned in the present Regulations are geographical Miles, of which Sixty make a Degree of Latitude.

ARTICLE IV.—The Fishery Limits of Granville Bay, established upon special Principles, are defined in the First Article of the Convention of the Second of August One thousand eight hundred and thirty-nine, as follow:

The Lines drawn between the Points designated by the Letters A., B., C., D., E., F., G., H., I., K. on the Chart annexed to the Convention are acknowledged as defining the Limits between which and the French Shore the Oyster Fishery shall be reserved exclusively to French Subjects; and these Lines are as follow; that is to say:—

The First Line runs from the Point A., Three Miles from Low-water Mark (Point Meinga bearing South), to the Point B., of which the Land-marks are Agon Tower on with the Clump of Trees upon Mount Huchon, and the Summit of Gros Mont in a Line with the Signal Post on Grand Isle.

The Second Line runs from the said Point B., towards Agon Tower and the Clump of Trees upon Mount Huchon in the Direction North, Sixty-four Degrees East, until at the Point C. it brings the Windmill of Lingreville to bear due East.

The Third Line runs from Point C. due East towards Lingreville Windmill until the Grand Huguenant is brought to bear on the Etat Rock at Point D.

The Fourth Line runs from Point D. Northward, and keeping the Grand Huguenant in one with the Etat Rock, until it intersects at E. a Line whose Land-marks are Agon Tower on with Coustances Cathedral.

The Fifth Line runs Eastward from Point E. to Point F., where the Steeple of Pirou is brought to bear in a Line with the Senequet Rock.

The Sixth Line runs from Point F., due North, to Point G., where the Steeple of Blainville is brought in a Line with the Senequet Rock.

The Seventh Line runs from Point G. (in the Direction of Pirou Steeple) to Point H., where the Lighthouse on Cape Carteret bears North, Twenty-four Degrees West.

The Eighth Line runs from Point H. to Point I. nearly abreast of Port Bail; Point I. having for Land-marks the Fort of Port Bail in a Line with the Steeple of Port Bail.

And finally, the Ninth Line runs from Point I. to the Three Grunes at Point K., where Cape Carteret bears East, Ten Degrees North, in a Line with Barneville Church.

All the Bearings specified in the present Article are to be taken according to the true Meridian, and not according to the Magnetic Meridian.

ARTICLE V.—It is forbidden to British Fishermen to set their Nets or to fish in any Manner whatsoever within the French Limits; and it is equally forbidden to French Fishermen to set their Nets or to fish in any Manner whatsoever within the British Limits.

ARTICLE VI.—All British and French Fishing Boats shall be numbered.

There shall be a Series of Numbers for the Fishing Boats belonging to each Collectorship of Customs in the United Kingdom, and a Series of Numbers for the Fishing Boats belonging to each District of Maritime Registry in France; and to these Numbers shall be prefixed the initial Letters of the Names of the respective Collectorships or Districts.

ARTICLE VII.—Whereas there are in the United Kingdom several Collectorships of Customs, and in France several Districts of Maritime Registry, the Names of which begin with the same Letter, in which Case the initial Letter alone would not suffice; the distinguishing Letter or Letters for the Boats of each Collectorship or District shall be designated by the Board of Customs in the United Kingdom, and by the Ministry of Marine in France.

ARTICLE VIII.—The Letters and Numbers shall be placed on each Bow of the Boat, Three or Four Inches (Eight or Ten Centimètres French) below the Gunnel, and they shall be painted in White Oil Colour on a Black Ground.

For Boats of Fifteen Tons Burthen and upwards, the Dimensions of these Letters and Numbers shall be Eighteen Inches (Forty-five Centimètres French) in Height, and Two and a Half Inches (Six Centimètres French) in Breadth.

For Boats of less than Fifteen Tons Burthen, the Dimensions shall be Ten Inches (Twenty-five Centimètres French) in Height, and One and Three Quarter Inch (Four Centimètres French) in Breadth.

The same Letters and Numbers shall also be painted on each Side of the Main Sail of the Boat in Black Oil Colour on White Sails, and in White Oil Colour on Tanned or Black Sails.

These Letters and Numbers on the Sails shall be One Third larger in every Way than those placed on the Bows of the Boat.

ARTICLE IX.—In order that the Fishing Boats of Jersey, Guernsey, and other Islands of the same Cluster may be distinguished from the Fishing Boats of the other British Islands, their Numbers shall precede the initial Letter of the Name of the Island to which such Boats may belong.

Each of these Islands shall have a separate Series of Numbers.

ARTICLE X.—All the Buoys, Barrels, and principal Floats of each Net, and all other Implements of Fishery, shall be marked with the same Letters and Numbers as those of the Boats to which they belong.

These Letters and Numbers shall be large enough to be easily distinguished. The Owners of Nets or other Fishing Implements may further distinguish them by any private Marks they judge proper.

ARTICLE XI.—The Letters and Numbers of British Fishing Boats shall be inserted on the Licences of those Boats, after having been entered in the Registry Book kept at the Collectorship of Customs.

The Letters and Numbers of French Fishing Boats shall be inserted on the Muster Rolls of those Boats, after being entered in the Registry Book kept at the Maritime Registry Office.

ARTICLE XII.—The Licences of British Fishing Boats and the Muster Rolls of French Fishing Boats shall contain the Description and Tonnage of each Boat, as well as the Names of its Owner and of its Master.

ARTICLE XIII.—The Fishermen of both Countries shall, when required, exhibit their Licences or Muster Rolls to the Commanders of the Fishing Cruisers, and to all other Persons of either Country, appointed to superintend the Fisheries.

ARTICLE XIV.—The Name of each Fishing Boat, and that of the Port to which she belongs, shall be painted in White Oil Colour on a Black Ground on the Stern of the said Boat, in Letters which shall be at least Three Inches (Eight Centimètres French) in Height, and Half an Inch (Twelve Millimètres French) in Breadth.

ARTICLE XV.—It is forbidden to efface, cover, or conceal, in any Manner whatsoever, the Letters, Numbers, and Names placed on the Boats and on their Sails.

ARTICLE XVI.—Trawl Fishing may be carried on during all Seasons in the Seas lying between the Fishery Limits which have been fixed for the Two Countries.

ARTICLE XVII.—Trawls shall be made with Nets, the Meshes of which shall be at least One Inch and Three Quarters (Forty-five Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XVIII.—The Length of the Wooden Yard or Beam to which the upper Part of the Mouth of each Trawl-net shall be fastened shall not exceed Thirty-eight Feet (Eleven Mètres Five hundred Millimètres French).

ARTICLE XIX.—The under Part of the Trawl-net, to a Length of Ten Feet (Three Mètres French) from its Extremity, may be strengthened by Rubbing Pieces made of old Nets; but these Rubbing Pieces shall be so fastened that they shall not cross or narrow the Meshes of the Trawl-net, which must always remain at least One Inch and Three Quarters (Forty-five Millimètres French) from Knot to Knot, along the Line, open and unobstructed.

ARTICLE XX.—The Size of the Meshes of any supplementary Nets which may be added to Trawls shall be at least Two Inches (Fifty Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXI.—Such supplementary Nets shall be so fitted as not to cross or narrow the Meshes of the Trawl-net, which must always remain at least One Inch and Three Quarters (Forty-five Millimètres French) from Knot to Knot, along the Line, open and unobstructed.

ARTICLE XXII.—The total Weight of the Two Irons or Head pieces of a Trawl shall not exceed Two hundred and eighty-seven Pounds (One hundred and thirty Kilogrammes French).

ARTICLE XXIII.—The total Weight of Iron Chains or Leads used for loading the Ground Rope of a Trawl shall not exceed One hundred and ten Pounds (Fifty Kilogrammes French).

ARTICLE XXIV.—Trawl Fishing is forbidden in all Places where there are Boats engaged in Herring or Mackerel Drift-net Fishing.

ARTICLE XXV.—Trawl Boats shall always keep at a Distance of at least Three Miles from all Boats fishing for Herrings or Mackerel with Drift-nets.

ARTICLE XXVI.—Whenever Herring or Mackerel Boats shall commence Drift-net Fishing in any Place whatever, the Trawl Boats which may be already fishing in such Place shall depart therefrom, and shall keep at a Distance of at least Three Miles from the said Drift-net Herring or Mackerel Boats.

ARTICLE XXVII.—Herring Fishing is free all the Year round.

ARTICLE XXVIII.—The Meshes of all Nets used for Herring Fishing shall not be less than One Inch (Twenty-five Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXIX.—Whenever decked Herring Boats and undecked Herring Boats shall commence shooting their Nets at the same Time, the undecked Boats shall shoot their Nets to Windward of the decked Boats, except they should prefer going to Leeward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXX.—The decked Boats on their Part shall shoot their Nets to Leeward of the undecked Boats, unless they prefer going to Windward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXXI.—When decked Boats shall arrive on Grounds where fishing is already begun by other Boats, amongst which shall be undecked Boats, the decked Boats so arriving shall shoot their Nets to Leeward of the undecked Boats, except they should prefer going to Windward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXXII.—When undecked Boats shall arrive on Grounds where fishing is already begun by other Boats, amongst which shall be decked Boats, the undecked Boats so arriving shall shoot their Nets to Windward of the decked Boats, except they prefer going to Leeward, to a Distance of at least Half a Mile, to shoot their Nets.

ARTICLE XXXIII.—If, however, it should happen that the Spot where fishing is going on, and consequently where the Herrings are, should be so near to the Fishery Limits of One of the Two Countries that the Boats of the other Country would, by observing the above-mentioned Regulations, be prevented from taking Part in the Fishery, the said Boats of the other Country shall be at liberty to shoot their Nets at a less Distance than that prescribed in the preceding Articles for decked and undecked Boats; but such Fishermen as may take advantage of this Permission shall be responsible for any Damage or Losses which their drifting may cause to the other Boats.

ARTICLE XXXIV.—Fishermen of the one Country shall not avail themselves of the Circumstances mentioned in the preceding Article, nor of any other Circumstances whatsoever, to shoot their Nets within the Fishery Limits of the other Country.

ARTICLE XXXV.—Whenever set Nets are employed for the Purpose of taking Herrings, the Boats engaged in this Fishery shall always remain over their Nets.

These Boats shall moreover be bound to observe the Prohibition contained in Article LVII. in favour of Drift-net Fishing.

ARTICLE XXXVI.—Mackerel Fishing is free all the Year round.

ARTICLE XXXVII.—The Meshes of all Nets used for Mackerel Fishing shall not be less than One Inch and One Sixth (Thirty Millimètres French) square, from Knot to Knot, along the Line.

ARTICLE XXXVIII.—It is forbidden to all Fishermen to load the lower Parts of Mackerel Drift-nets with Leads or Stones.

ARTICLE XXXIX.—Boats going to fish for Mackerel with Drift-nets are required, when they shall arrive on the Fishing Ground, to lower all Sails, to show that they have taken their Berths.

ARTICLE XL.—The Boats mentioned in the preceding Article shall keep Three Quarters of a Mile at least apart from one another when they shoot their Nets.

ARTICLE XLI.—The Meshes of Nets known by the Name of Bratt Nets shall not be less than Four Inches and One Third (Eleven Centimètres French) square, from Knot to Knot, along the Line.

ARTICLE XLII.—The Meshes of the middle Nets of Trammels shall be at least Two Inches (Five Centimètres French) square, from Knot to Knot, along the Line.

The Meshes of both of the outer Nets of Trammels shall be at least Six Inches (Fifteen Centimètres French) square, from Knot to Knot, along the Line.

ARTICLE XLIII.—Fishermen using Bratt Nets, Trammels, and other set or anchored Nets shall place Buoys on such Nets, in order that Vessels sailing in those Places may avoid them.

ARTICLE XLIV.—Such Bratt Nets, Trammels, or other set or anchored Nets shall not, except in unavoidable Cases, remain more than Twenty-four Hours in the Sea without being taken up.

ARTICLE XLV.—Oyster Fishings shall open on the First of September, and shall close on the Thirtieth of April.

ARTICLE XLVI.—From the First of May to the Thirty-first of August no Boat shall have on board any Dredge or other Implement whatsoever for catching Oysters.

ARTICLE XLVII.—It is forbidden to dredge for Oysters between Sunset and Sunrise.

ARTICLE XLVIII.—The Fishermen shall cull the Oysters on the Fishing Ground, and shall immediately throw back into the Sea all Oysters less than Two and a Half Inches (Six Centimètres French) in the greatest Diameter of the Shell, and also all Sand, Gravel, and Fragments of Shells.

ARTICLE XLIX.—It is forbidden to throw into the Sea on Oyster Fishing Grounds the Ballast of Boats, or any other Thing whatsoever which might be detrimental to the Oyster Fishery.

ARTICLE L.—For the Purpose of distinguishing by Day Drift-net Fishing Boats from Trawl Boats, both shall carry at the Mast-head Vanes, which shall be at least Eight Inches (Twenty Centimètres French) in Height, and Two Feet (Sixty-one Centimètres) in Length.

The Colours of these Vanes shall be, for—

British Trawl Boats, Red.
French Trawl Boats, Blue.
British Drift Boats, White and Red.
French Drift Boats, White and Blue.

It is understood that the Vanes of Drift Boats shall be divided vertically into Two equal Parts, of which the White shall be nearest to the Mast.

ARTICLE LI.—It is forbidden to all other Fishing Boats to carry Vanes similar to those mentioned in the preceding Article.

ARTICLE LII.—It is forbidden to all Boats to anchor between Sunset and Sunrise on Grounds where Herring or Mackerel Drift-net Fishing is going on.

This Prohibition does not apply to Anchorages which may take place in consequence of Accidents or any other compulsory Circumstances, but in such Case the Master of the Boat thus obliged to anchor shall hoist, so that they shall be seen from a Distance, Two Lights placed horizontally about Three Feet (One Mètre French) apart, and shall keep these Lights up all the Time the Boat shall remain at anchor.

ARTICLE LIII.—In order that Boats fishing with Drift-nets may be easily recognized at Night, the Masters of these Boats shall hoist on one of their Masts Two Lights, one over the other, Three Feet (One Mètre French) apart.

These Lights shall be kept up during all the Time their Nets shall be in the Sea between Sunset and Sunrise.

ARTICLE LIV.—All Fishermen are forbidden, except in Cases of absolute Necessity, to show Lights under any other Circumstances than those mentioned in the present Regulations.

ARTICLE LV.—The Meshes of the various Nets before mentioned shall be of the prescribed Dimensions, measured when the Net is wet.

ARTICLE LVI.—It is forbidden to use Nets for any other Kind of Fishing than that for which each of those Nets may be lawfully employed, with respect to the Size of its Meshes, or of its Fittings.

ARTICLE LVII.—It is forbidden to set or anchor Nets, or any other Fishing Implement, in any Place where Herring or Mackerel Drift-net Fishing is going on.

ARTICLE LVIII.—No Boat shall be made fast or held on to the Nets, Buoys, Floats, or to any Part of the Fishing Tackle, belonging to another Boat.

ARTICLE LIX.—It is forbidden to all Persons to hook or lift up the Nets, Lines, or other Fishing Implements belonging to others, under any Pretence whatsoever.

ARTICLE LX.—When Nets of different Boats get foul of each other, the Masters of the said Boats shall not cut them, except by mutual Consent, unless it shall have been found impossible to clear them by other Means.

ARTICLE LXI.—All Fishing Boats, all Rigging, Gear, or other Appurtenances of Fishing Boats, all Nets, Buoys, Floats, or other Fishing Implements whatsoever, found or picked up at Sea, shall, as soon as possible, be delivered to the Collector of Customs, if the Article saved be taken into England, and to the Commissary of Marine, if the Article saved is taken into France.

ARTICLE LXII.—The Collector of Customs, or the Commissary of Marine, as the Case may be, shall restore the Articles saved to the Owners thereof, or to their Representatives.

These Functionaries may, when the Circumstances are such as to call for it, award to the Salvors a suitable Compensation for their Trouble and Care. This Compensation, which shall in no Case exceed One Fourth of the actual Value of the Articles saved, shall be paid by the Owners.

ARTICLE LXIII.—The Execution of the Regulations concerning the Fittings of Nets and the Size of their Meshes, the Weight and Dimensions of Fishing Instruments, and, in short, concerning every thing connected with the Implements of Fishing, is placed, with respect to the Fishermen of each of the Two Nations, under the exclusive Superintendence of the Cruisers and Agents of their own Nation.

Nevertheless, the Commanders of the Cruisers of each Nation shall mutually acquaint the Commanders of the other Nation with any Transgressions of the above-mentioned Regulations, committed by the Fishermen of the other Nation, which may come to their Knowledge.

ARTICLE LXIV.—Infractions of Regulations concerning the placing of Boats, the Distances to be observed, the Prohibition of certain Fisheries by Day or by Night, or during certain Periods of the Year, and concerning every other Operation connected with the Act of Fishing, and more particularly as to Circumstances likely to cause Damage, shall be taken cognizance of by the Cruisers of both Nations, whichever may be the Nation to which the Fishermen guilty of such Infractions may belong.

ARTICLE LXV.—The Commanders of Cruisers of both Countries shall exercise their Judgment as to the Causes of any Transgressions committed by British or French Fishing Boats in the Seas where the said Boats have the Right to fish in common; and when the said Commanders shall be satisfied of the Fact of the Transgression, they shall detain the Boats having thus infringed the established Regulations, and may take them into the Port nearest to the Scene of the Occurrence, in order that the Offence may be duly established, as well by comparing the Declarations and counter Declarations of Parties interested, as by the Testimony of those who may have witnessed the Facts.

ARTICLE LXVI.—When the Offence shall not be such as to require exemplary Punishment, but shall, nevertheless, have caused Injury to any Fisherman, the Commanders of Cruisers shall be at liberty, should the Circumstances admit of it, to arbitrate at Sea between the Parties concerned, and on Refusal of the Offenders to defer to their Arbitration, the said Commanders shall take both them and their Boats into the nearest Port, to be dealt with as stated in the preceding Article.

ARTICLE LXVII.—Every Fishing Boat which shall have been taken into a Foreign Port, under either of the Two preceding Articles, shall be sent back to her own Country for Trial as soon as the Transgression for which she may have been detained shall have been duly established. Neither the Boat nor her Crew shall, however, be detained in the Foreign Port more than Four Days.

ARTICLE LXVIII.—The Depositions, Minutes of Proceedings, and all other Documents concerning the Transgression, after being authenticated by the Collector of Customs, or by the Commissary of Marine, according to the Country into which the Boat may have been taken, shall be transmitted by that Functionary to the Consular Agent of his Nation residing in the Port where the Trial is to take place.

This Consular Agent shall communicate these Documents to the Collector of Customs, if in the United Kingdom, or to the Commissary of Marine, if in France; and if, after having conferred with that Functionary, it shall be necessary for the Interest of his Countrymen, he shall proceed with the Affair before the competent Tribunal or Magistrates.

ARTICLE LXIX.—All Transgressions of these Regulations established for the Protection of Fisheries in the Seas lying between the Coasts of the British Islands and those of France shall, in both Countries, be submitted to the exclusive Jurisdiction of the Tribunal or the Magistrates which shall be designated by Law.

This Tribunal, or these Magistrates, shall also settle all Differences, and decide all Contentions, whether arising between Fishermen of the same Country, or between Fishermen of the Two Countries, and which cannot have been settled by the Commanders of Cruisers, or by the Consular Agents and the Collectors of Customs, or Commissaries of Marine, according to the Country.

The above-mentioned Jurisdiction shall not, however, be understood to apply to Murder, Felony, or any other grave Crime; all such Crimes remaining subject to the ordinary Laws of each Country respectively.

ARTICLE LXX.—The Trial and Judgment of the Transgressions mentioned in the preceding Article shall always take place in a summary Manner, and at as little Expence as possible.

ARTICLE LXXI.—In both Countries the competent Tribunal or Magistrates shall be empowered to adjudge the following Penalties for Offences against the Regulations committed by Fishermen subject to their Jurisdiction:—

First. Forfeiture and Destruction of Nets or other Fishing Implements which are not conformable to the Regulations.

Secondly. Fines from Eight Shillings (Ten Francs) to Ten Pounds Sterling (Two hundred and fifty Francs), or Imprisonment for not less than Two Days, and not more than One Month.

ARTICLE LXXII.—The Use of Nets or other Fishing Implements of which the Fittings, Size of Meshes, Dimensions, or Weight shall not be conformable to the Regulations established for each Kind of Fishery shall subject the said Nets or Implements to Seizure and Destruction, and the Offenders to a Fine of not less than Eight Shillings (Ten Francs) nor more than Three Pounds Sterling (Seventy-five Francs), or to Imprisonment from Two to Ten Days.

In Cases of Repetition of the Offence, the Fine or Imprisoment may be doubled.

ARTICLE LXXIII.—All Persons shall be condemned to a Fine of from Eight Shillings to Five Pounds Sterling (Ten Francs to One hundred and twenty-five Francs), or to Imprisonment from Five to Fifteen Days, who either by Night or by Day, conjointly or separately, shall offend against the Measures established by the Regulations for the Preservation of Peace and good Order, and specifically against those concerning—

First. The Letters, Numbers, and Names to be placed on the Boats and their Sails, and on Nets, Buoys, &c.

Secondly. The Vanes to be carried by the Boats.

Thirdly. The Distances to be observed between the Boats.

Fourthly. The placing and anchoring of Boats.

Fifthly. The placing or shooting of Nets, and taking them up.

Sixthly. The clearing of Nets.

Seventhly. The placing of Buoys upon Nets.

Eighthly. Lastly, the Lights to be shown.

In Cases of Repetition of any of these Offences, the Fine or Imprisonment may be doubled.

ARTICLE LXXIV.—In all Cases of Assault committed at Sea by Fishermen on other Fishermen, or whenever they shall have intentionally caused Damages or Loss, the competent Tribunal or Magistrates may condemn the Delinquents to a Term of Imprisonment not exceeding Twenty Days, or to a Fine not exceeding Five Pounds Sterling (One hundred and twenty-five Francs).

Should there have been at the same Time any Infringement of the Regulations, the Imprisonment or Fine above mentioned may be awarded over and above the Penalties to which the said Infringement shall have given rise.

ARTICLE LXXV.—The competent Tribunal or Magistrates shall, when the Circumstances are such as to call for it, award, over and above all Penalties inflicted for Offences against the Regulations, the Payment of Damages to the injured Parties, and shall determine the Amount of such Damages.

ARTICLE LXXVI.—The Conditions under which the Fishing Boats of either of the Two Countries shall be at liberty to come within the Fishery Limits of the other Country are laid down in the following Articles, which also specify and regulate the Penalties to be inflicted for Infraction of the said Articles.

ARTICLE LXXVII.—The competent Tribunal or Magistrates shall exclusively take cognizance (in the same Manner as stipulated in Article LXIX.) of the Infractions mentioned in Article LXXVI.

ARTICLE LXXVIII.—The putting into the Chausey Islands by British Oyster Fishing Boats is regulated by the Six following Articles.

ARTICLE LXXIX.—The putting into the Chausey Islands by British Fishing Boats, in consequence of Damage, evident bad Weather, or any other compulsory Circumstance, is a Right confirmed by Article VII. of the Convention of the Second of August One thousand eight hundred and thirty-nine.

ARTICLE LXXX.—The Expediency of putting in, under any of the Circumstances mentioned in the preceding Article, must naturally be determined by those Fishermen who may find it necessary to avail themselves of this Right.

Nevertheless, whenever the British Fishing Boats shall be able to communicate with the Commander of the British Station, they shall not put in until they are authorized so to do by the said Commander's hoisting the following Signal,—a Blue Ensign at the Mast-head.

ARTICLE LXXXI.—The Commander of the English Station may, when he shall consider this Measure necessary, authorize the weaker Boats, which are consequently the most exposed to the Effects of bad Weather, to put into the Chausey Islands whilst the other Boats shall continue to fish.

This Permission shall be made known by the following Signal,—a Red Ensign at the Mast-head.

ARTICLE LXXXII.—When the Commander of the English Station shall have authorized the Whole or Part of the British Boats to seek Shelter in the Chausey Islands, in consequence of the above-mentioned Causes, he shall give Notice thereof immediately afterwards to the French Cruisers by means of the following Signals; viz.—

For the Anchorage of all the Boats (provided for in Article LXXX.), a Blue Peter placed under the Blue Ensign at the Mast-head.

For the Anchorage of the weaker Boats (provided for in Article LXXXI.), a Blue Peter placed under the Red Ensign at the Mast-head.

ARTICLE LXXXIII.—Whenever the Appearance of the Weather, although it be not actually stormy at the Time, yet shall be so threatening that Boats could not gain Shelter of the British Channel Islands before it comes on, the British Commander, taking on himself the Responsibility of the Measure, may authorize the said Boats to anchor at Chausey, by hoisting a Blue Peter.

This Permission shall, at the same Time, be made known to the French Cruisers by means of a French Flag hoisted at the Mast-head over the said Blue Peter.

These Flags shall not be hauled down until the French Cruisers shall have understood the Signal, and answered it by hoisting, also at the Mast-head, an English Flag.

ARTICLE LXXXIV.—When British Fishing Boats put into Chausey they shall keep together in the same Part of the Anchorage.

Should any compulsory Circumstances prevent their doing so, the Commander of the English Station shall inform the French Station thereof by hoisting, in addition to the Flags flying to announce the putting in of the Boats, an Union Jack under the said Flags.

ARTICLE LXXXV.—The Fishing Boats of the one Country shall not approach nearer to any Part of the Coasts of the other Country than the Limit of Three Miles, specified in Article IX. of the Convention signed at Paris on the Second of August One thousand eight hundred and thirty-nine, except under the following Circumstances:—

First. When driven by Stress of Weather or by evident Damage to seek Shelter in the Harbours, or within the Fishery Limits of the other Country.

Secondly. When carried within the Limits established for the Fishery of the other Country, by contrary Winds, by strong Tides, or by any other Cause independent of the Will of the Master and Crew.

Thirdly. When obliged by contrary Winds or Tide to beat up in order to reach their Fishing Ground; and when, from the same Cause of contrary Wind or Tide, they could not, if they remained outside, be able to hold on their Course to their Fishing Ground.

Fourthly. When, during the Herring Fishing Season, the Herring Fishing Boats of the one Country shall find it expedient to anchor under Shelter of the Coasts of the other Country, in order to await a favourable Opportunity for proceeding to their lawful Fishery outside of the Limits defined by Article IX. of the Convention of the Second of August One thousand eight hundred and thirty-nine.

ARTICLE LXXXVI.—Whenever, in any of the Cases of Exception specified in the preceding Article, the Fishing Boats of either Nation shall have occasion to sail or anchor within the Limits defined by the Convention of the Second of August One thousand eight hundred and thirty-nine, the Masters of such Boats shall immediately hoist a Blue Flag, Two Feet high and Three Feet long, and shall keep this Flag flying at the Mast-head so long as they shall remain within the said Limits; consequently this Flag shall not be hauled down until the Boats are actually outside of those Limits.

These Boats, when within the aforesaid Limits, are not only prohibited from fishing themselves, but are also forbidden to send their small Boats to fish, even outside of the Limits in question. They must all (with the Exception of Herring Boats which may be waiting, as they have the Privilege of doing, for a favourable Opportunity to proceed to their lawful Fishery,) return outside the said Limits, so soon as the Causes shall have ceased which obliged them to come in under the Cases of Exception specified.

It is further agreed, conformably to the Tenor of the present Regulations, that the Fishing Boats of the one Country shall not use the Ports of the other Country for the greater Convenience of their

their Fishery Operations, either in proceeding from thence to their lawful Fishery in the Seas common to both, or in returning thereunto after Fishing; it being understood, however, that this Stipulation does not in any Manner impair the Right of putting into Port in the Cases of Exception specified in Article LXXXV.

ARTICLE LXXXVII.—It is forbidden to Herring Drift-net Fishing Boats to shoot their Nets earlier in the Day than Half an Hour before Sunset, except in Places where it is customary to carry on this Drift-net Fishing by Daylight.

ARTICLE LXXXVIII.—Herring Fishermen, being within the Fishery Limits of either Country, shall comply with the Laws and Regulations of the said Country respecting the Prohibition of fishing on the Sabbath Day.

ARTICLE LXXXIX.—The Commanders of the Cruisers of each of the Two Countries, and all Officers or other Agents whatsoever appointed to superintend the Fisheries, shall exercise their Judgment as to the Causes of any Transgressions committed by the Fishing Boats of the other Country, and when they shall be satisfied of the Fact of the Transgression they shall detain or cause to be detained the Boats having thus transgressed the preceding Regulations (from Article LXXVI.), and shall take them or cause them to be taken into Port, where, upon clear Proof of the Transgression being brought by the detaining Party before the competent Tribunal or Magistrates, the said Boats so transgressing may be condemned to be kept for a Period not exceeding Three Months, or to a Fine not exceeding Ten Pounds Sterling (Two hundred and fifty Francs).

In testimony whereof the respective Commissioners have signed the present Regulations, and have thereto affixed their Seals.

Done in *London*, the Twenty-fourth Day of *May* in the Year of our Lord One thousand eight hundred and forty-three.

(L.S.) ANTHONY PERRIER.
(L.S.) F. LANGE.

CAP. LXXX.

An Act for the better Government of Her Majesty's Subjects resorting to *China*.

[22d *August* 1843.]

3 & 4 W. 4. c. 93.

'WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Trade to* China *and* India, whereby certain Powers were vested in Officers therein described as "Superintendents of the Trade of His Majesty's Subjects to and from the Dominions of the Emperor of *China*:" And whereas, for giving full Effect to the Purposes of the said Act, it is necessary that Provision be made for the Establishment from Time to Time of Regulations for the Government of Her Majesty's Subjects resorting to *China*, and it is expedient that such Regulations should originate with some local Authority cognizant of the actual Circumstances and Exigencies of such Her Majesty's Subjects, and of the Trade carried on by them in *China*: And whereas Her Majesty hath been pleased, by a Commission under the Great Seal of the United Kingdom, to establish a Legislative Council to make Laws for the Peace, Order, and good Government of Her Majesty's Subjects, being within Her Majesty's Island of *Hong Kong*, and to constitute and appoint as Governor of the said Island the Officer invested under the said recited Act with the Office of Chief Superintendent of the Trade of Her Majesty's Subjects to and from *China*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by any Commission or Commissions under the Great Seal of the United Kingdom, or by any Instructions under Her Majesty's Signet and Sign Manual accompanying and referred to in any such Commission or Commissions, to authorize the Superintendent of the Trade of Her Majesty's Subjects in *China* (so long as such Superintendent shall be also the Governor of the said Island of *Hong Kong*) to enact, with the Advice of the Legislative Council of the said Island of *Hong Kong*, all such Laws and Ordinances as may from Time to Time be required for the Peace, Order, and good Government of Her Majesty's Subjects being within the Dominions of the Emperor of *China*, or being within any Ship or Vessel at a Distance of not more than One hundred Miles from the Coast of *China*, and to enforce the Execution of such Laws and Ordinances by such Penalties and Forfeitures as to him, by the Advice aforesaid, shall seem fit; and that it shall also be lawful for Her Majesty, by any such Commission or Commissions or Instructions as aforesaid, to impose upon the Exercise of the before-mentioned Legislative Authority all such Conditions and Limitations as Her Majesty shall see fit to prescribe; and that it shall also be lawful for Her Majesty to disallow, in the whole or in part, any Laws or Ordinances so to be enacted as aforesaid, and, with the Advice of Her Majesty's Privy Council, to alter the same or any of them as to Her Majesty in Council shall seem meet.

Her Majesty may authorize the Chief Superintendent of Trade to make Ordinances for Her Majesty's Subjects in China.

II. And be it enacted, That it shall be lawful for Her Majesty, by any Commission or Warrant under Her Royal Sign Manual, to make such Provision as to Her Majesty may seem fit for the temporary Exercise of the Duties of the said Chief Superintendent in the event of a Vacancy occurring in that Office by Death, Resignation, or otherwise, and that the Provisions herein contained respecting the said Chief Superintendent shall be taken to apply to the Person or Persons for the Time being exercising the Duties of Chief Superintendent under such Commission or Warrant.

Provision for temporary Vacancy in the Office of Superintendent.

III. And

III. And be it enacted, That it shall also be lawful for Her Majesty, by any Order or Orders made with the Advice of Her Majesty's Privy Council, to ordain, for the Government of Her Majesty's Subjects being within the Dominions of the Emperor of *China*, or being within any Ship or Vessel at a Distance of not more than One hundred Miles from the Coast of *China*, any Law or Ordinance which to Her Majesty in Council may seem meet, as fully and effectually as any such Law or Ordinance could be made by Her Majesty in Council for the Government of Her Majesty's Subjects being within the said Island of *Hong Kong*. Her Majesty may make Ordinances for Her Majesty's Subjects in China.

IV. And be it enacted, That all such Commissions and Instructions and Orders in Council as aforesaid, and all Laws and Ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enacting thereof respectively. Commissions, &c. to be laid before Parliament.

V. And be it enacted, That when and so soon as any such Commission or Commissions as aforesaid shall have been received at the said Island of *Hong Kong* by the Superintendent and Governor aforesaid, or by the Officer for the Time being in the Administration of the said Superintendence and Government, so much of the said recited Act as relates to the Powers and Authorities to be exercised by the Superintendents therein mentioned over and in respect of the Trade and Commerce of Her Majesty's Subjects within any Part of the Dominions of the Emperor of *China*, or as relates to the making and issuing Directions and Regulations touching the said Trade and Commerce, and for the Government of Her Majesty's Subjects within the said Dominions, and as relates to the Imposition of Penalties, Forfeitures, or Imprisonments for the Breach of any such Directions or Regulations, or as relates to the Creation of a Court of Justice for the Trial of Offences committed by Her Majesty's Subjects, as therein mentioned, shall be repealed: Provided nevertheless, that all things theretofore done in pursuance of the said recited Act shall be of the same Validity and Effect as if this Act had not been passed. Repeal of Part of 3 & 4 W. 4. c. 93.

VI. And be it enacted, That every Suit or Action which shall be brought against any Person for any thing done in pursuance of this Act shall be commenced within Six Calendar Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction, and then within Six Calendar Months after the Plaintiff and Defendant shall have been both within the Jurisdiction of any such Court; and every such Action or Suit shall be brought in the Place where the Cause of Action shall have arisen, and not elsewhere, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction; and the Defendant shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff, or his Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for any Act done by him in the Execution of his Office. Limitation of Actions.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. LXXXI.

An Act to make better Provision for the Appointment of a Deputy for the Chairman of the Sessions of the Peace in the County of *Dublin*, and to provide for the taking of an Oath by the said Chairman or Deputy; and to amend an Act of the First Year of Her present Majesty, to amend the Law for the Recovery of Small Debts by Civil Bill in *Ireland*.

[22d *August* 1843.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-eighth Year of the Reign of King *George* the Third, intituled *An Act to enable the Chief Governor of this Kingdom to appoint One of His Majesty's Counsel learned in the Law to be Chairman of the Session of the Peace in the County of* Dublin *during good Behaviour*, it was amongst other things enacted, that if the Chairman so appointed should be at any Time absent from such Session, any of His Majesty's Counsel learned in the Law, to be by such Chairman appointed, might act as such Chairman during his Pleasure: And whereas it is expedient to repeal the said recited Enactment, and to make Provision for the Appointment of a Deputy to the Chairman of the said Session, similar to that now by Law made for the Appointment of Deputies to the several Assistant Barristers in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the herein-before recited Act as empowers the said Chairman of the Session of the Peace in the County of *Dublin* to appoint a Deputy shall be repealed, without Prejudice, nevertheless, to any Appointment heretofore made, or the Validity thereof. 38 G. 3. (I.) So much of recited Act as empowers the Chairman to appoint a Deputy repealed.

II. And be it enacted, That when it shall appear to the Lord High Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, upon Oath, that the present Chairman of the Session of the Peace in the County of *Dublin*, or any Chairman of the said Session to be hereafter appointed, is, by reason of Sickness or other necessary Cause of Absence, unable to attend at the Time appointed for any Session of the Peace in the said County, or at any Adjournment thereof, it shall and may be lawful to and for the said Lord High Chancellor, Keeper or Commissioners of the Great Seal for the Time being, to nominate or appoint some other Barrister, of Six Years standing at the least, to do and execute the Duty of such Chairman, as well in holding a Court for hearing and determining Causes in a summary Way by Civil Bill, as also all other Business, civil or criminal, which such Chairman is by any Act or Acts authorized and empowered to do at any Session of the Peace or Adjournment thereof, fo When it appears to Lord Chancellor, upon Oath, that the Chairman is unable to attend, he may appoint a Barrister of Six Years standing to do his Duty, who shall take the Oath

herein-after required, and be invested with all the Powers of such Chairman during his Absence.

for such Time as such Illness or necessary Cause of Absence shall continue; and such Person so appointed shall, upon taking the Oath herein-after required to be taken by such Chairman (*mutatis mutandis*), either before such Chancellor, Keeper or Commissioners, or publicly in open Court at the Sessions of the Peace or Adjournment thereof, on the first Day on which he shall attend at any Session or Adjournment thereof to execute such Duty, have all and every the Powers and Authorities given to such Chairman by any Act or Acts now in force or which may be hereafter passed, and be authorized in every respect to do and execute during the Continuance of such Absence, and no longer, every Matter and Thing which such Chairman might himself lawfully do if personally present.

The Deputy to be paid out of the Salary and Fees of Chairman.

III. And be it enacted, That such Person so appointed to do and execute such Duty of such Chairman during his Illness or other necessary Cause of Absence shall receive and be paid such Compensation for his Labour and Trouble therein as the Lord Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, shall think fit to direct and appoint, the same to be paid by such Chairman, or out of the Salary and Fees of such Chairman who shall be absent.

When the Illness of a Chairman happens suddenly, Two Justices may open and adjourn the Court until the Chancellor can appoint a Deputy.

IV. 'And whereas it may happen that such Illness of such Chairman may happen so suddenly as that 'there may not be sufficient Time to give Notice thereof to the Chancellor, Keeper or Commissioners of 'the Great Seal, and to have a Person appointed to do the Duty of the said Chairman in the said Court, by 'the Day at which such Court ought to sit;' be it therefore enacted, That in case of such Illness of such Chairman it shall and may be lawful for any Two Justices of the Peace for the said County of *Dublin* to open and adjourn the said Court from Time to Time, and for such reasonable Time as shall be sufficient for such Chancellor, Keeper or Commissioners, to be informed of such Illness by Affidavit sworn before some Justice of such County, or Oath before himself or themselves, and to appoint some Person to do the said Duty, and for such Person to repair to the Place where such Court shall be held, and to take upon himself the Execution of such Duty.

Chairman of Sessions to take an Oath before acting.

V. And be it enacted, That the present Chairman of the Session of the Peace in the County of *Dublin* shall, within Two Months after the passing of this Act, and every Person to be hereafter appointed to the Office of Chairman of the said Session shall, before he shall proceed to execute the Duties of the said Office, take the following Oath before the Lord High Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, which Oath the said Chancellor, Keeper and Commissioners, are hereby empowered to administer; (that is to say,)

Form of Oath.

'I *A. B.* do swear, That I will execute the Office of Chairman of the Session of the Peace in the County 'of *Dublin* diligently, justly, and impartially, and without Favour, Affection, or Malice, do equal Right 'to all the Queen's Subjects that shall come within my Jurisdiction; and that I will in all things, to the 'best of my Skill and Power, execute the Duties imposed on me by an Act passed in the Parliament of

2 G. 1. c. 11.

'*Ireland* in the Second Year of the Reign of King *George* the First, intituled *An Act for reviving and 'amending an Act, intituled 'An Act for the Recovery of Small Debts in a summary Way before the Judges 'of Assize*,' and by an Act passed in the said Parliament, in the Thirty-eighth Year of the Reign of King

38 G. 3. c. 65.

'*George* the Third, intituled *An Act to enable the Chief Governor of this Kingdom to appoint One of His 'Majesty's Counsel learned in the Law, to be Chairman of the Session of the Peace in the County of* Dublin '*during good Behaviour*, or any other Act or Acts continuing or amending either of the said Acts.'

Nothing herein contained to repeal 2 & 3 W. 4. c. 88. s. 68.

VI. Provided always, and be it enacted, That nothing herein contained shall be construed to repeal or affect the Provision made by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of* Ireland, enabling the said Chairman of the Session of the Peace for the County of *Dublin* to discharge the Duties imposed upon him by that Act with regard to the Registry of Voters in and for the City of *Dublin* by Deputy as therein mentioned.

Provisions of 7 G. 4. c. 36. & 7 W. 4. & 1 Vict. c. 43. to extend to East Riding of County of Cork.

VII. 'And whereas by an Act passed in the Seventh Year of the Reign of His Majesty King *George* 'the Fourth, intituled *An Act to regulate the Service of the Process of the several Courts for the Recovery of 'Small Debts by Civil Bill in* Ireland, it was enacted, that at the several Sessions of the Peace in and 'for the several Counties in *Ireland*, which should be holden in the Month of *October* next after the 'passing of the said Act, each and every of the Assistant Barristers appointed under the Authority of 'the Act therein recited, or of any Act for amending the same, should, in manner therein enacted, nominate 'and appoint such Number of fit and proper Persons, being Householders residing in the principal Market 'Towns within the said Counties, to be Officers for the Service of Civil Bill Processes in the said County 'or Division thereof as should be specified and set forth in any such Warrant respectively: And whereas 'by an Act passed in the First Year of Her present Majesty, intituled *An Act to amend the Law for 'Recovery of Small Debts by Civil Bill in* Ireland, it was enacted, that at any Sessions of the Peace 'in and for the several Counties in *Ireland*, or any Riding thereof, which should be holden after the 'passing of the said Act, each and every of the Assistant Barristers appointed under the Acts for 'Recovery of Small Debts by Civil Bill in *Ireland*, or any of them, to be Assistants to the Justices at 'such Sessions, might and should, by Warrant or Warrants under the Hand and Seal of each such Assist-'ant Barrister, respectively nominate and appoint such Number of fit and proper Persons, qualified as in 'the said Act of the Seventh Year of the Reign of His late Majesty is mentioned, as to the said Assistant 'Barrister should from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill 'Processes within such County or within any Riding thereof, or within such Division of such County or 'Riding as should be specified in any such Warrant, and that such Officers should be in addition to the 'Officers already appointed and acting in such County, Riding, or Division under the said recited Act of 'the Seventh Year of the Reign of King *George* the Fourth: And whereas it has been doubted whether

'the

'the said Acts refer to the East Riding of the County of *Cork* by reason of there not being any Sessions 'directed to be holden therein in the Month of *October*, and it is expedient that the Provisions of said 'recited Acts should be extended to said Riding;' be it therefore enacted, That the said several Acts, and each and every the Provisions of same, shall extend and be deemed and construed to extend to the East Riding of the said County of *Cork*, and that at any Sessions of the Peace for said Riding which shall be holden after the passing of this Act the Assistant Barrister appointed for said Riding shall and may, in manner in said Acts mentioned, nominate and appoint such Number of fit and proper Persons, qualified as in said Acts mentioned, as to the Assistant Barrister shall from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill Processes within such Riding, or within such Division of said Riding as shall be specified in any such Warrant; and such Officers shall have the same Powers, Privileges, and Emoluments, and observe the several Rules and Regulations prescribed by the said Acts, and shall be removeable in like Manner, and their Appointment made known in the Manner directed by said Acts, and that from and after the Appointment of any such Officers it shall not be lawful for any Person whomsoever, other than one of such Officers as shall be appointed and authorized under the Authority and according to the Directions of the said Act and of this Act, to serve any such Process; and that any Service or pretended Service of any Process by any Person or Persons not appointed and authorized as aforesaid shall be wholly null and void to all Intents and Purposes whatsoever; any Act or Acts of Parliament, or any Law, Usage, or Custom, to the contrary in anywise notwithstanding.

CAP. LXXXII.

An Act for extending to *Scotland* and *Ireland* the Power of the Lord High Chancellor to grant Commissions to enable Persons to take and receive Affidavits; and for amending the Law relating to Commissions for the Examination of Witnesses. [22d *August* 1843.]

Lord Chancellor to have the same Powers for granting Commissions for taking Affidavits, &c. in Scotland and Ireland as he now has in England.

'WHEREAS it would be convenient to extend to *Scotland* and *Ireland* the Power of the Lord High 'Chancellor of *Great Britain* to grant Commissions in order to enable Persons to take Affidavits, 'Affirmations, and Declarations:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal for the Time being, shall have such and the same Powers for granting Commissions for the Purpose of enabling fit and proper Persons to take and receive Affidavits, Affirmations, and Declarations in *Scotland* and *Ireland*, and to perform the other Duties of Masters Extraordinary of the High Court of Chancery in *England*, as he and they now have in any Part of the Kingdom of *England*.

Persons wilfully swearing falsely in any Affidavit, &c. in Scotland deemed guilty of Perjury, and liable to Punishment in same Manner as for swearing falsely in open Court.

II. And be it enacted, That all and every Persons and Person wilfully swearing or affirming or declaring falsely in any Affidavit or Affirmation or Declaration to be made in that Part of the United Kingdom called *Scotland*, before any Person or Persons who shall be empowered to take Affidavits or Affirmations or Declarations in *Scotland* under the Authority aforesaid, shall be deemed guilty of Perjury, and shall be liable to Prosecution and Punishment for Perjury in the same Manner and to the same Effect as if such Persons or Person had wilfully sworn falsely as a Witness or Witnesses in open Court in any judicial Proceeding in *Scotland*, or in any Court of competent Jurisdiction in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge; and it shall be competent to bring such Prosecution, if brought in *Scotland*, either in the Court of Justiciary or in the Sheriff Court of the County within which the Offence shall have been committed.

Swearing falsely in any Affidavit or Affirmation in Ireland deemed Perjury.

III. And be it enacted, That all and every Persons and Person wilfully swearing or affirming falsely in any Affidavit or Affirmation to be made before any Person or Persons who shall be empowered to take Affidavits or Affirmations in *Ireland* under the Authority aforesaid shall be deemed guilty of Perjury, and shall incur and be liable to the same Pains and Penalties as if such Person or Persons had wilfully sworn or affirmed falsely in the open Court in which such Affidavit or Affirmation shall be intituled, or in the Court in which such Person or Persons shall be tried, and be liable to be prosecuted for such Perjury in any Court of competent Jurisdiction in *Ireland*, or in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge; and if any Declaration which shall be made before any Person who shall be empowered to take Declarations in *Ireland* under the Authority aforesaid shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor, and shall be punishable accordingly.

False Declaration, a Misdemeanor.

What Fees may be taken.

IV. And be it enacted, That every such Person authorized to act under any such Commission as aforesaid shall be entitled to receive and take such and the same Fees, and none other, as Masters Extraordinary of the High Court of Chancery in *England* are now entitled to by virtue of the Orders of that Court, or of any Act or Acts of Parliament now in force.

For compelling the Attendance of Witnesses.

V. 'And whereas there are at present no Means of compelling the Attendance of Persons to be 'examined under any Commission for the Examination of Witnesses issued by the Courts of Law or Equity 'in *England* or *Ireland*, or by the Courts of Law in *Scotland*, to be executed in a Part of the Realm sub'ject to different Laws from that in which such Commissions are issued, and great Inconvenience may arise 'by reason thereof;' be it therefore enacted, That if any Person, after being served with a written Notice to attend any Commissioner or Commissioners appointed to execute any such Commission for the Examination of Witnesses as aforesaid (such Notice being signed by the Commissioner or Commissioners, and specifying the Time and Place of Attendance), shall refuse or fail to appear and be examined under such

Commission, such Refusal or Failure to appear shall be certified by such Commissioner or Commissioners, and it shall thereupon be competent, to or on behalf of any Party suing out such Commission, to apply to any of the Superior Courts of Law in that Part of the Kingdom within which such Commission is to be executed, or any one of the Judges of such Courts, for a Rule or Order to compel the Person or Persons so refusing or failing as aforesaid to appear before such Commissioner or Commissioners, and to be examined under such Commission, and it shall be lawful for the Court or Judge to whom such Application shall be made by Rule or Order to command the Attendance and Examination of any Person to be named or the Production of any Writings or Documents to be mentioned in such Rule or Order.

Punishment of Persons disobeying Rule or Order to appear or to produce Writings or Documents required.

VI. And be it enacted, That upon the Service of such Rule or Order upon the Person named therein, if he or she shall not appear before such Commissioner or Commissioners as aforesaid for Examination, or to produce the Writings or Documents mentioned in such Rule or Order, the Disobedience to such Rule or Order shall, if the same shall happen in *England* or in *Ireland*, render the Person disobeying subject and liable to such Pains and Penalties as he or she would be subject and liable to by reason of Disobedience to a Writ of Subpœna in *England* or in *Ireland*, and if such Disobedience shall happen in *Scotland* it shall be competent to the Lord Ordinary on the Bills, upon an Application made to him by or behalf of any Party suing out such Commission, and upon Proof of such Disobedience made before him, to direct the Issue of Letters of Second Diligence, according to the Forms of the Law of *Scotland*, to be used against the Person disobeying such Rule or Order.

For Payment of Witnesses, &c.

VII. Provided always, and be it enacted, That every Person whose Attendance shall be so required shall be entitled to the like Conduct Money and Payment of Expences and for Loss of Time as for and upon Attendance at any Trial in a Court of Law; and that no Person shall be compelled to produce under such Rule or Order any Writing or other Document that he or she would not be compellable to produce at a Trial, nor to attend on more than Two consecutive Days, to be named in such Rule or Order.

CAP. LXXXIII.

An Act to amend the Law respecting the Duties of Coroners. [22d *August* 1843.]

'WHEREAS the Coroners of Boroughs and Liberties are empowered and directed by Law to appoint 'Deputies to act in their Stead in certain Cases: And whereas the Coroners of Counties have no 'sufficient Authority of the Law for making such Appointments: And whereas it is expedient to prevent 'unnecessary Expence and Delay in the holding of Inquests in Counties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for every Coroner of any County, City, Riding, Liberty, or Division, and he is hereby directed, by Writing under his Hand and Seal, to nominate and appoint from Time to Time a fit and proper Person, such Appointment being subject to the Approval of the Lord High Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, to act for him as his Deputy in the holding of Inquests; and all Inquests taken and other Acts performed by any such Deputy Coroner under and by virtue of any such Appointment shall be deemed and taken, to all Intents and Purposes whatsoever, to be the Acts and Deeds of the Coroner by whom such Appointment was made: Provided always, that a Duplicate of such Appointment shall be forthwith transmitted to the Clerk of the Peace for the County, City, Riding, Liberty, or Division in which such Coroner shall reside, to be filed among the Records of the said County, City, Riding, Liberty, or Division: Provided also, that no such Deputy shall act for any such Coroner as aforesaid except during the Illness of the said Coroner, or during his Absence from any lawful or reasonable Cause: Provided also, that every such Appointment may at any Time be cancelled and revoked by the Coroner by whom the same was made.

Coroners of Counties, &c. may appoint Deputies to act during Illness or Absence, subject to Lord Chancellor's Approval.

Duplicate of Appointment to be transmitted to Clerk of the Peace.

Inquisitions, &c. not to be quashed on account of technical Defects.

II. 'And whereas by an Act passed in the Seventh Year of the Reign of King *George* the Fourth 'certain Provisions were made for preventing the quashing of Indictments on technical Grounds: And 'whereas it is expedient to make Provisions for supporting Coroners Inquisitions, and for preventing the 'same from being quashed on account of technical Defects;' be it therefore enacted, That from and after the passing of this Act no Inquisition found upon or by any Coroner's Inquest, nor any Judgment recorded upon or by virtue of any such Inquisition, shall be quashed, stayed, or reversed for Want of the Averment therein of any Matter unnecessary to be proved, nor for the Omission of the Words "with Force and Arms," or of the Words "against the Peace," or of the Words "against the Form of the Statute," nor for the Omission or Insertion of any other Words or Expressions of mere Form or Surplusage, nor for the Insertion of the Words "upon their Oath," instead of the Words "upon their Oaths," nor for omitting to state the Time at which the Offence was committed, when Time is not the Essence of the Offence, nor for stating the Time imperfectly, nor because any Person or Persons mentioned in any such Inquisition is or are designated by a Name of Office or other descriptive Appellation, instead of his, her, or their proper Name or Names, nor by reason of the Non-insertion of the Names of the Jurors in the Body of any such Inquisition, or of any Difference in the Spelling of the Names of any of the Jurors in the Body of any such Inquisition and the Names subscribed thereto, nor because any Juror or Jurors shall have set his or their Mark or Marks to any such Inquisition, instead of subscribing his or their Name or Names thereto, nor because any such Mark or Marks is or are unattested, provided the Name or Names of such Juror or Jurors is or are set forth, nor because any Juror or Jurors has or have signed his or their Christian Name or Names by means of an Initial or partial Signature only, and not at full Length, nor because of any Erasures

Erasures or Interlineations appearing in any such Inquisition, unless the same shall be proved to have been made therein after the same was signed, nor for Want of a proper Venue, where the Inquest shall appear or purport to have been taken by a Coroner of or for the County, Riding, City, Borough, Liberty, Division, or Place in which it shall appear or purport to have been taken, nor (except only in Cases of Murder or Manslaughter) for or by reason of any such Inquisition not being duly sealed or written upon Parchment, nor by reason of any such Inquisition having been taken before any Deputy instead of the Coroner himself, nor because the Coroner and Jury did not all view the Body at one and the same Instant, provided they all viewed the Body at the first Sitting of the Inquest; and in all or any of such Cases of technical Defect as are herein-before mentioned it shall be lawful for any Judge of either of Her Majesty's Courts at *Westminster*, or any Judge of Assize or Gaol Delivery, if he shall so think fit, upon the Occasion of any such Inquisition being called in question before him, to order the same to be amended in any of the respects aforesaid, and the same shall forthwith be amended accordingly.

III. And be it enacted, That this Act shall extend only to that Part of the United Kingdom called *England* and *Wales*. Extent of Act.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended, &c.

CAP. LXXXIV.

An Act to amend the Laws relating to the Customs. [22d *August* 1843.]

'WHEREAS several Acts were passed in the Third and Fourth Years of the Reign of His late 'Majesty King *William* the Fourth for consolidating the Laws of the Customs: And whereas it 'has been found necessary from Time to Time to make certain Alterations therein: And whereas certain 'further Alterations and Amendments are now required;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the same shall come into and be and continue in full Force and Operation for the Purposes mentioned therein, except where any other Commencement is herein-after particularly directed. Commencement of Act.

Management.

II. 'And whereas by one of the said Acts, intituled *An Act for the Management of the Customs*, Powers 'are given to the Surveyor General of Customs, and the Inspector General of Customs, to examine on 'Oath: And whereas it is expedient that the Commissioners of Customs should have the like Power of 'examining on Oath;' be it therefore enacted, That upon Examinations and Inquiries made by the said Commissioners of Her Majesty's Customs, or any One or more of them, for ascertaining the Truth of Facts relative to the Customs, or the Conduct of Officers or Persons employed therein, any Person examined before the said Commissioners or Commissioner shall deliver his Testimony on Oath, to be administered by such Commissioners or Commissioner as shall examine him, and who are and is hereby authorized to administer such Oath; and if such Person shall be convicted of making a false Oath touching any of the Facts so testified on Oath, or of giving false Evidence on his Examination on Oath before such Commissioners or Commissioner, every such Person or Persons so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury. Commissioners may examine Witnesses upon Oath. 3 & 4 W. 4. c. 51.

Regulation.

III. 'And whereas by one other of the said Acts, intituled *An Act for the Regulation of the Customs*, 'it is lawful for the Collector and Comptroller of the Customs, upon the Importation of Goods from 'Foreign Parts, for which a perfect Entry cannot be made, to receive an Entry by Bill of Sight, and also 'to receive a Deposit of a Sum of Money upon such Entry on account of the Duties which may be 'payable on the Goods intended to be landed by virtue of such Bill of Sight: And whereas it is 'expedient that a Deposit of a Sum of Money should be made in all Cases where Entries by Bill of Sight 'are granted; and that after the Examination of the Goods so entered an Endorsement should be made 'on the Bill of Sight, by the Importer or his Agent, of the full Particulars of such Goods;' be it therefore enacted, That in all Cases where an Entry shall be made for the landing or examining of Goods by Bill of Sight the Importer or his Agent shall, before the same be granted, deposit with the proper Officer of the Customs a Sum of Money sufficient in Amount to cover the Duties payable on the Goods intended to be landed or examined by such Bill of Sight, and shall make and subscribe a Declaration that he has not any Reason to believe that the Duties on the Goods will amount to more than the Sum deposited. Goods entered to be landed or examined by Bill of Sight; a Deposit to be made equal to the Duties. 3 & 4 W. 4. c. 52.

IV. And be it enacted, That if the Sum deposited on a Bill of Sight shall not be equal in Amount to the Duties payable upon all the Goods contained in any single Package landed or examined thereby, no Part shall be delivered until a perfect Entry or Entries is or are made for the whole of the Goods contained in such Package. As to Goods in Packages.

V. And be it enacted, That before any Goods in respect of which a Bill of Sight has been granted shall be delivered out of the Custody of the proper Officer of Customs, the Importer or his Agent shall endorse upon the Bill of Sight granted for landing or examining the same a particular Account thereof, to which he shall affix his Signature and Place of Abode, with the Date of making such Endorsement; and such Endorsement upon the Bill of Sight shall, upon being duly signed by the Collector and Comptroller, become the perfect Entry for such Goods: Provided always, that nothing herein contained shall alter or affect any other of the Regulations required by Law in respect of Bills of Entry. Importer or Agent to endorse the Bill of Sight with Particulars of the Goods, and sign the same.

VI. 'And whereas by one of the said Acts, intituled *An Act for the Regulation of the Customs*, no 'Goods can be imported into the United Kingdom, or into the *Isle of Man*, from Parts beyond the Seas, 'in The general Denominations of certain Goods

Regulation.

to be reported, and to be inserted in the Ship's Manifest.

'in any *British* Ship, unless the Master shall have on board a Manifest of such Goods: And whereas 'the Master of every Ship arriving from Parts beyond the Seas at any Port in the United Kingdom or 'in the *Isle of Man* is required to make a due Report of the Cargo of such Ship: And whereas Frauds 'have been practised upon the Revenue of Customs in consequence of Masters of Vessels reporting 'Packages of Goods as "Contents unknown," and it is expedient to make Regulations for the Prevention 'of such Frauds;' be it therefore enacted, That from and after the Tenth Day of *November* One thousand eight hundred and forty-three the Masters of all Vessels arriving from any Foreign Place in *Europe* at any of the Ports of the United Kingdom shall, in addition to the Particulars now required by Law to be inserted in the Reports of their respective Vessels, and also in the Manifest, where one is required, insert the general Denomination of the Contents of each and every Package containing the following Articles; *videlicet* Cambrics or Lawns, Leather Gloves, Manufactures of Silk, Tobacco, Cigars, or Snuff; and all such Articles as shall be found on board any Vessel arriving as aforesaid, or in any Package landed therefrom, and not so manifested or reported, shall be forfeited.

Goods unshipped from importing Vessel, or landed contrary to Rules, &c. of Commissioners of Customs, forfeited, and Parties offending to pay 100*l.* or treble the Value.

VII. 'And whereas it is necessary to impose certain Restrictions upon Goods imported from Foreign 'Parts into the United Kingdom on the Unshipment and Removal of the same from the importing Vessel 'to the Quay, Wharf, or other Place approved and appointed for the Examination of such Goods;' and in order that greater Security to the Revenue may be afforded than at present exists, be it therefore enacted, That no Goods imported into the United Kingdom from Foreign Parts shall be unshipped or carried from the importing Vessel to any Quay, Wharf, or other Place previously to the Examination thereof, except under such Rules, Regulations, and Restrictions as the Commissioners of Her Majesty's Customs may from Time to Time, with the Approbation of the Commissioners of Her Majesty's Treasury, direct and appoint; and all Goods unshipped or carried contrary to such Rules, Regulations, or Restrictions, or any of them, shall be forfeited, together with the Craft or other Means of Conveyance of any such Goods; and every Person knowingly concerned in the unshipping or carrying of such Goods, or to whose Hands and Possession the same shall knowingly come, contrary to such Rules, Regulations, and Restrictions, shall forfeit and pay a Sum of One hundred Pounds, or treble the Value of such Goods, at the Election of the said Commissioners.

Penal Sum in Bonds for Exportation of Goods not to exceed double the Amount of Duty, &c.

VIII. 'And whereas the Exporters of Coals, or of Goods on which a Drawback or Bounty is allowed, 'and of warehoused Goods, are required, on the Exportation thereof, to give Security by Bond that such 'Goods shall be duly exported; and it is expedient to reduce the Amount of the penal Sum required in 'such Bonds;' be it therefore enacted, That in no Case shall the Security by Bond required for the due Exportation of any Goods exceed double the Amount of the Duty, Drawback, or Bounty payable on such Goods; any thing in any Act or Acts to the contrary thereof notwithstanding.

So much of 5 & 6 Vict. c. 47. as requires Bond on Exportation of Wine, repealed.

IX. 'And whereas by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, 'intituled *An Act to amend the Laws relating to the Customs*, the Person entering Outwards any Goods 'from the United Kingdom to Parts beyond the Seas, upon which a Drawback of the Duties on the 'Importation thereof is allowed, is required to give Bond in double the Value of the Goods in manner 'therein mentioned: And whereas it is expedient to make certain Alterations in the said Act;' be it therefore enacted, That from and after the passing of this Act no Bond shall be required for any Wine entered Outwards for the Purpose of obtaining a Drawback of the Duties paid or payable upon the Importation thereof.

Colonial Fishing Vessels may import Blubber, Oil, &c. direct from the Fisheries.

X. 'And whereas it is expedient to permit Colonial Fishery Ships to come direct from the Fishery to 'the United Kingdom, and enter their Cargoes, in like Manner as Vessels clearing out from that King- 'dom;' be it therefore enacted, That any Blubber, Train Oil, Spermaceti Oil, Head Matter, or Whale Fins imported into the United Kingdom direct from the Fishery in Colonial Vessels, and which shall have cleared out for such Fishery from any of the *British* Possessions abroad, shall be admitted to Entry in the United Kingdom upon the Payment of the same Duty and in like Manner as such Articles are now admitted to Entry when imported from the Fishery in Vessels which shall have cleared out from thence.

Smuggling.

Persons in Her Majesty's Naval Service detained under Revenue Laws to be secured on board until a Justice's Warrant procured.

XI. And be it enacted, That where any Person or Persons, being Part of the Crew of any Ship or Vessel in Her Majesty's Employment or Service, and liable to Detention by an Officer or Officers of the Customs, shall have been detained under any Law or Laws relating to the Revenue of Customs, such Person or Persons, upon Notice thereof given by such Officer or Officers of Customs to the Captain or Commanding Officer of the Ship or Vessel, shall be placed in Security by such Captain or Commanding Officer on board such Ship or Vessel, until the Officer or Officers of Customs shall have obtained a Warrant from a Justice of the Peace for bringing the said Offender or Offenders before him, or any Two or more Justices of the Peace, to be dealt with according to Law; which said Warrant such Justice of the Peace is hereby authorized and required to grant upon Complaint made to him by such Officer or Officers of Customs, stating the Offence for which such Person or Persons is or are liable to Detention as aforesaid.

Foreigners discovered on board any Vessel containing smuggled Goods to be punished.

XII. And be it enacted, That every Person, not being a Subject of Her Majesty, who shall be found or discovered to have been on board any Vessel or Boat liable to Forfeiture under any Act relating to the Customs, for being found or discovered to have been within any of the Ports, Harbours, Rivers, or Creeks in the United Kingdom, or in the *Isle of Man*, having on board, or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Vessel or Boat to Forfeiture, shall be liable to be detained and proceeded against, and on Conviction punished, in such and the like Manner as under the Laws now in force Persons, being Subjects of Her Majesty, being so found and discovered as herein mentioned, may be detained, proceeded against, and punished:

Pro-

Duties.

Provided always, that no Person whosoever shall be liable to be detained for any such Offence as is herein lastly before mentioned unless there shall be reasonable Ground to believe that such Person was the Owner of such Goods, or was concerned in bringing the same into such Ports and other Places as are herein-before mentioned, or in concealing the same.

Duty on Garancine altered.

XIII. 'And whereas it is expedient that Garancine should be charged with a rated Duty upon Importation into the United Kingdom instead of the *ad valorem* Duty to which it is liable under the Acts now in force;' be it therefore enacted, That instead of the Duties now chargeable upon Garancine imported into the United Kingdom under or by virtue of the said Act passed in the last Session of Parliament for amending the Laws relating to the Customs, and the Tables of Duties thereto annexed, there shall be raised, levied, collected, and paid unto Her Majesty, upon Garancine imported into the United Kingdom from Foreign Parts, the Sum of Five Shillings for every Hundred Weight thereof, and an additional Duty of Five *per Centum* on such Duty, in like Manner as if such Duties had been imposed in and by the said last-mentioned Act, and had been set forth in the Tables thereunto annexed.

All Manufactures of Gibraltar, Malta, and Heligoland to be deemed the Produce of a Foreign Country.

XIV. 'And whereas divers Manufactures of *Gibraltar*, *Malta*, and *Heligoland*, made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, have been or may hereafter be imported into the United Kingdom either Duty free, or upon Payment of Duties less than the Duties upon the Materials thereof, to the serious Prejudice of Her Majesty's Revenue;' be it therefore enacted, That all Manufactures of *Gibraltar*, *Malta*, and *Heligoland*, made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed, in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

Foreign Treaties.

Her Majesty may by Order in Council give effect to Stipulations in Treaties with respect to Export Duties.

XV. 'And whereas divers Treaties have been entered into by Her Majesty with Foreign States, whereby it is stipulated that Goods exported in the Ships of such States from the United Kingdom shall be liable to no other or higher Duties than if exported in *British* Ships: And whereas in some of such Treaties such Stipulations have reference to Exportations only to the Foreign States with which such Treaties are respectively made, and others of such Treaties extend to Exportations to any Foreign Countries: And whereas it is expedient that Her Majesty should be empowered to give effect to the Stipulations of the said Treaties, and to any similar Stipulations in any Treaties which Her Majesty may hereafter enter into with the same or any other Foreign States;' be it therefore enacted, That it shall be lawful for Her Majesty from Time to Time, by any Order or Orders in Council, to declare which are the Foreign States with which Treaties containing such Stipulations as aforesaid have been or shall have been entered into by Her Majesty, and shall still be subsisting, and also to define which are the Countries the Exportations to which from the United Kingdom in Ships of such Foreign States are included in the Stipulations of such Treaties respectively, and also to define the Classes of Goods which are included in such Stipulations; and from and after the Publication of such Orders respectively in the *London Gazette* the Goods which shall be exported from the United Kingdom in the Ships of the Foreign States declared in such Orders respectively shall, so far as respects Exportations to the Countries defined in such Orders respectively, and so far as respects the Classes of Goods defined in such Orders respectively, be charged with such and the same Duties only as would be chargeable upon the like Goods exported from the United Kingdom to the same Countries in a *British* Ship.

Warehouse.

Bonds for warehoused Goods to have only One Surety. 3 & 4 W. 4. c. 57.

XVI. 'And whereas by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the warehousing of Goods*, the Importer of any Goods entered to be warehoused in any Warehouse, in respect of which the Proprietor or Occupier has not given Security by Bond for Payment of the Duties of Importation on all such Goods as shall be warehoused therein, or for the due Exportation thereof, is required to give Security by Bond, with Two sufficient Sureties, for the Payment of the full Duties of Importation on the Goods so entered, or for the due Exportation thereof, and it is expedient to amend the same;' be it therefore enacted, That from and after the passing of this Act no more than One Surety shall be required to any such Bond, and that the Penalty of all such Bonds shall be double the Amount of the Duty to which such Goods are liable.

Occupiers of Warehouse to produce, on Demand, Goods to Officer of Customs, or forfeit 5*l.*

XVII. And be it enacted, That the Occupier or Occupiers of any Warehouse in which Goods are, under the Provisions of the said last-mentioned Act, permitted to be deposited shall, upon Request being made by any Officer duly authorized by the Commissioners of Customs, immediately produce to such Officer any Goods deposited therein, or received into his or their Custody, for the Delivery of which the said Occupier or Occupiers has or have not received an Order duly signed by the proper Warehouse Officer; and upon every Failure thereof such Occupier or Occupiers shall forfeit the Sum of Five Pounds, over and above the Duties to which every Package or Parcel of Goods not so produced may be liable.

Possessions Abroad.

Foreign Beef and Pork may be shipped as Stores from the Warehouse without Entry or Payment of Duty, if borne upon Ship's Clearance.

XVIII. 'And whereas it is deemed expedient, with a view of affording Relief to Ship Owners, to permit Foreign salted Beef and Pork warehoused at any *British* Possessions to be delivered from such Warehouses as Stores;' be it therefore enacted, That Foreign salted Beef and Pork which shall have been warehoused in any *British* Possession may be delivered into the Charge of the Searchers to be shipped as Stores, and which shall and may be so shipped without Entry or Payment of any Duty, for every Ship of the Burthen of Sixty Tons at least, bound upon a Voyage to Foreign Parts, the probable Duration of which, Out and Home, will not be less than Forty Days: Provided always, that such Foreign Beef and Pork shall be duly borne upon the Ship's Clearance, and shall be shipped in such Quantities, and subject to such Directions and Regulations, as the Collector or other Chief Officer of Customs at the Port of Shipment shall direct and appoint: Provided also, that the surplus Stores of such Foreign Beef or Pork may

may be delivered into the Charge of the Searcher to be re-shipped as Stores, under such Rules and Regulations as such Collector or other Chief Officer of Customs may see fit to direct; and any such Beef or Pork shipped contrary to such Directions shall be forfeited.

Shipping and Navigation.

Her Majesty may by Order in Council declare that any Goods may be imported into Hong Kong in any Vessels.

3 & 4 W. 4. c. 54.

XIX. 'And whereas by an Act passed in the Session of Parliament held in the Third and Fourth Years 'of His late Majesty King *William* the Fourth, intituled *An Act for the Encouragement of* British *Shipping* 'and *Navigation*, it is enacted, that no Goods shall be imported into any *British* Possession in *Asia*, *Africa*, 'or *America*, in any Foreign Ships, unless they be Ships of the Country of which the Goods are the 'Produce and from which the Goods are imported: And whereas the Enforcement of the said recited 'Enactment in the Island of *Hong Kong*, now forming Part of Her Majesty's Dominions, would be 'attended with great Difficulty, and would materially check the Growth of the Trade therein;' be it therefore enacted, That it shall be lawful for Her Majesty from Time to Time, by any Order in Council, to declare that Goods, the Growth, Produce, or Manufacture of any Foreign Country, may be imported into the said Island of *Hong Kong*, from the same or any other Foreign Country, in Vessels belonging to the same or any other Foreign Country, and however navigated, subject, nevertheless, to such Limitations and Restrictions as shall be contained in any such Order in Council; and from and after the Publication of any such Order in Council such Goods may lawfully be so imported into the said Island of *Hong Kong* according to the Provisions of such Order, and until the Revocation thereof, any thing in the said last-mentioned Act to the contrary in anywise notwithstanding; and any such Order in Council may from Time to Time be altered or revoked by Her Majesty by any subsequent Order in Council.

Her Majesty may by Order in Council appoint Ports in the British Possessions abroad wherein any Goods imported in any Vessels may be warehoused.

XX. 'And whereas by the said last-mentioned Act it is enacted, that Goods of any Sort or the Produce 'of any Place, not otherwise prohibited than by the Law of Navigation therein-before contained, may be 'imported into the United Kingdom from any Place in a *British* Ship, and from any Place not being a 'Part of the *British* Dominions in a Foreign Ship of any Country, and however navigated, to be ware-'housed for Exportation only, under the Provisions of any Law in force for the Time being made for the 'warehousing of Goods without Payment of Duty upon the first Entry thereof: And whereas it is expedient 'that Power should be given to Her Majesty in Council to permit Goods, not otherwise prohibited to be 'imported into the *British* Possessions abroad than under the said recited Act, to be imported into certain 'Ports of the *British* Possessions abroad for the Purpose of being warehoused for Exportation;' be it therefore enacted, That it shall be lawful for Her Majesty, by an Order or Orders in Council, from Time to Time to declare that Goods of any Sort or the Produce of any Place, not otherwise prohibited than by the Law of Navigation in the said last-mentioned Act contained, may be imported into any Port or Ports of the *British* Possessions abroad, to be named in such Order, from any Place in a *British* Ship, and from any Place not being a Part of the *British* Dominions in a Foreign Ship of any Country, and however navigated, to be warehoused for Exportation only, under the Provisions of any Law in force for the Time being made for the warehousing of Goods without Payment of Duty upon the first Entry thereof; and from and after the Date of any such Order it shall be lawful so to import, for the Purpose of being warehoused for Exportation only, any such Goods into the Port or Ports named therein, according to the Provisions of the said Order, any thing in the said recited Act for the Encouragement of *British* Shipping and Navigation in anywise notwithstanding; and any such Order in Council may from Time to Time be altered or revoked by Her Majesty by any subsequent Order in Council.

Flour.

Flour substituted in Warehouse under Act 5 & 6 Vict. c. 92. not to be taken out for Home Consumption for Four Weeks afterwards.

XXI. 'And whereas by an Act made and passed in the Session of Parliament held in the Fifth and 'Sixth Years of the Reign of Her present Majesty, intituled *An Act to permit, until the Thirty-first Day* 'of August *One thousand eight hundred and forty-five, Wheat to be delivered from the Warehouse or the* 'Vessel *Duty-free, upon the previous Substitution of an equivalent Quantity of Flour or Biscuit in the* 'Warehouse, Power is given to Persons to deposit in any Warehouse in which Foreign Flour may be 'warehoused according to Law any Quantity of fine Wheat Flour, and thereupon to enter, Duty-free, from 'any Vessel, or to receive from the Warehouse, Duty-free, as therein is mentioned, such Quantity of 'Wheat as, according to the Scale in the said Act now in recital set forth, shall be equivalent to the 'Quantity of Flour so deposited; and by the said Act now in recital it is enacted, that all Flour which 'under the Provisions thereof shall have been deposited in Warehouse as aforesaid shall be subject in all 'respects to the same Rules, Regulations, Penalties, Restrictions, and Forfeitures as warehoused Goods 'shall for the Time being be subject to under the Laws in force, save and except that such Flour, upon 'Entry thereof from the Warehouse for Home Consumption, shall be liable to such and the same 'Duties as the same would be liable to if it were the Manufacture of and imported from Foreign 'Countries: And whereas it is expedient to make such Restriction as herein-after is contained respecting 'taking out from the Warehouse Flour deposited under the Provisions of the said last-mentioned Act;' be it therefore enacted, That no Flour which shall after the passing of this Act be deposited in Warehouse under the Provisions of the said last-recited Act shall be entered from the Warehouse for Home Consumption until Four Weeks after the Day upon which it shall have been so deposited.

Admeasurement of Shipping.

5 & 6 W. 4. c. 56. s. 2. repealed.

XXII. 'And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of 'His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage* 'and *Burthen of the Merchant Shipping of the United Kingdom*, it is enacted, that the Tonnage of every 'Ship or Vessel required by Law to be registered shall, previous to her being registered, be measured 'and ascertained while her Hold is clear, and according to the Rule therein expressed; and by the same 'Rule it is required, that if the Vessel have a Poop or Half Deck, or a Break in the Upper Deck, to 'measure the inside mean Length, Breadth, and Height of such Part thereof as may be included within 'the Bulk-head, multiply these Three Measurements together, and, dividing the Product by 92.4, the

'Quotient

'Quotient will be the Number of Tons to be added to the Result as above found: And whereas it is also 'enacted by the said Act now in recital, that for the Purpose of ascertaining the Tonnages of all such 'Ships, whether belonging to the United Kingdom or otherwise, as there shall be occasion to measure 'while their Cargoes are on board, the following Rule shall be observed and is hereby established; (that 'is to say,) measure, first, the Length on the Upper Deck, between the after Part of the Stem and the 'fore Part of the Stern-post; secondly, the inside Breadth on the under Side of the Upper Deck, at the 'middle Point of the Length; and, thirdly, the Depth from the Upper Deck down the Pump Well to 'the Skin; multiply these Three Dimensions together, and divide the Product by One hundred and thirty, 'and the Quotient will be the Amount of the Register Tonnage of such Ships: And whereas under the 'said last-mentioned Rule the Measurement of the Poop was erroneously omitted;' be it therefore enacted, That the said last-mentioned Enactment, and the Rule thereby established for ascertaining the Tonnage of Ships measured whilst their Cargoes are on board, shall be and the same is hereby repealed; and that, for the Purpose of ascertaining the Tonnage of all such Ships, whether belonging to the United Kingdom or otherwise, as there shall be occasion to measure while their Cargoes are on board, the following Rule shall be observed and is hereby established both in the United Kingdom and in Her Majesty's Possessions abroad; (that is to say,) measure, first, the Length on the Upper Deck, between the after Part of the Stem and the fore Part of the Stern-post; secondly, the inside Breadth on the under Side of the Upper Deck, at the middle Point of the Length; and, thirdly, the Depth from the under Side of the Upper Deck down the Pump Well to the Skin; multiply these Three Dimensions together, and divide the Product by One hundred and thirty, and the Quotient will be the Amount of the Register Tonnages of such Ships, if the Vessel have a Poop or Half Deck, or a Break in the Upper Deck, measure the inside mean Length, Breadth, and Height of such Part thereof as may be included within the Bulk-head, multiply these Three Measurements together, and dividing the Product by Ninety-two and Four Tenths, and the Quotient will be the Number of Tons to be added to the Result above found.

Admeasurement of Shipping.

Rule for measuring Vessels while their Cargoes are on board.

XXIII. 'And whereas a Treaty has been concluded between Her Majesty and the United States of '*America*, dated the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, 'whereby it is stipulated, that all the Produce of the Forest, in Logs, Lumber, Timber, Timber Boards, 'Staves, or Shingles, or of Agriculture, not being manufactured, grown on any of those Parts of the 'State of *Maine* watered by the River *Saint John* or by its Tributaries, of which Fact reasonable 'Evidence shall, if required, be produced, shall have free Access into and through the said River and 'its said Tributaries, having their Source within the State of *Maine*, to and from the Seaport at the 'Mouth of the River *Saint John*, and to and round the Falls of the said River, either by Boats, Rafts, or 'other Conveyance, that when within the Province of *New Brunswick* the said Produce shall be dealt 'with as if it were the Produce of the said Province: And whereas it is the Intention of the High Contracting Parties to the said Treaty that the aforesaid Produce should be dealt with as if it were the 'Produce of the Province of *New Brunswick*;' be it therefore enacted, That the Produce in the said recited Treaty, and herein-before described, shall, so far as regards all Laws relating to Duties, Navigation, and Customs in force in the United Kingdom, or in any of Her Majesty's Dominions, be deemed and taken to be and be dealt with as the Produce of the Province of *New Brunswick*: Provided nevertheless, that in all Cases in which Declarations and Certificates of Production or Origin and Certificates of Clearance would be required in respect of such Produce, if it were the Produce of *New Brunswick*, similar Declarations and Certificates shall be required in respect of such Produce, and shall state the same to be the Produce of those Parts of the State of *Maine* which are watered by the River *Saint John* or by its Tributaries.

Possessions Abroad.

Produce of the Forest, and agricultural Produce of those Parts of the State of Maine watered by the Saint John and its Tributaries, to be treated, as respects Duties, Navigation and Customs Laws, as the Produce of New Brunswick.

XXIV. 'And whereas by an Act passed in the Session of Parliament held in the Third and Fourth 'Years of His late Majesty King *William* the Fourth, intituled *An Act for the general Regulation of the 'Customs*, and by the Table therein contained, denominated "A Table of Prohibitions and Restrictions 'Outwards," the Tools, Utensils, Machinery, and Articles described in the said Table, and in the Schedule 'hereto annexed, were, amongst other things, absolutely prohibited to be exported from the United 'Kingdom: And whereas it is expedient that the said Prohibition of the Exportation of the said Tools, 'Utensils, Machinery, and Articles should be repealed;' be it enacted, That so much of the said Act and Table as prohibits the Exportation from the United Kingdom of the Tools, Utensils, Machinery, and Articles described in the Schedule hereunto annexed shall be and the same is hereby repealed.

Regulation.

So much of 3 & 4 W. 4. c. 52. as prohibits Exports of the Machinery in Schedule, repealed.

SCHEDULE.

TOOLS and UTENSILS; videlicet:

——————— Any Machine, Engine, Tool, Press, Paper, Utensil, or Instrument used in or proper for the preparing, working, pressing, or finishing of the Woollen, Cotton, Linen, or Silk Manufactures of this Kingdom, or any other Goods wherein Wool, Cotton, Linen, or Silk is used, or any Part of such Machines, Engines, Tools, Presses, Paper, Utensils, or Instruments, or any Model or Plan thereof, or any Part thereof, except Wool Cards or Stock Cards not worth above Four Shillings per Pair, and Spinners Cards not worth above One Shilling and Sixpence per Pair, used in the Woollen Manufactures.

——————— Blocks, Plates, Engines, Tools, or Utensils, commonly used in or proper for the preparing, working up, or finishing of the Calico, Cotton, Muslin, or Linen Printing Manufactures, or any Part of such Blocks, Plates, Engines, Tools, or Utensils.

——————— Rollers, either plain, grooved, or of any other Form or Denomination of Cast Iron, Wrought Iron, or Steel for the rolling of Iron or any Sort of Metals, and Frames, Beds, Pillars, Screws,

Screws, Pinions, and each and every Implement, Tool, or Utensil thereunto belonging; Rollers, Slitters, Frames, Beds, Pillars, and Screws for Slitting Mills; Presses of all Sorts in Iron and Steel or other Metals, which are used with a Screw exceeding One Inch and a Half in Diameter, or any Parts of these several Articles, or any Model of the before mentioned Utensils, or any Part thereof; all Sorts of Utensils, Engines, or Machines used in the casting or boring of Cannon, or any Sort of Artillery, or any Parts thereof, or any Models of Tools, Utensils, Engines, or Machines used in such casting or boring, or any Parts thereof; Hand Stamps, Doghead Stamps, Pulley Stamps, Hammers and Anvils for Stamps; Presses of all Sorts, called Cutting-out Presses, Beds or Punches to be used therewith, either in Parts or Pieces, or fitted together; Scouring or Shading Engines; Presses for Horn Buttons; Dies for Horn Buttons; Rolled Metal, with Silver thereon; Parts of Buttons not fitted up into Buttons, or in an unfinished State; Engines for chasing; Stocks for casting Buckles, Buttons, and Rings; Die-sinking Tools of all Sorts; Engines for making Button Shanks; Laps of all Sorts; Tools for pinching of Glass; Engines for covering of Whips, Bars of Metal covered with Gold or Silver, and Burnishing Stones, commonly called Blood Stones, either in the rough State or finished for Use; Wire Moulds for making Paper; Wheels of Metal, Stone, or Wood, for cutting, roughing, smoothing, polishing, or engraving Glass; Purcellas, Pincers, Shears, and Pipes used in blowing Glass; Potters Wheels and Lathes for plain, round, and engine turning; Tools used by Saddlers, Harness Makers, and Bridle Makers; videlicet, Candle-strainers, Side-strainers, Point-strainers, Creasing Irons, Screw-creasers, Wheel-irons, Seat-irons, Pricking-irons, Bolstering irons, Clams, and Head Knives.

——————————— Frames for making Wearing Apparel.

CAP. LXXXV.

An Act for improving the Law of Evidence. [22d *August* 1843.]

'WHEREAS the Inquiry after Truth in Courts of Justice is often obstructed by Incapacities created by the present Law, and it is desirable that full Information as to the Facts in Issue, both in Criminal and in Civil Cases, should be laid before the Persons who are appointed to decide upon them, and that such Persons should exercise their Judgment on the Credit of the Witnesses adduced and on the Truth of their Testimony:' Now therefore be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person offered as a Witness shall hereafter be excluded by reason of Incapacity from Crime or Interest from giving Evidence, either in Person or by Deposition, according to the Practice of the Court, on the Trial of any Issue joined, or of any Matter or Question or on any Inquiry arising in any Suit, Action, or Proceeding, Civil or Criminal, in any Court, or before any Judge, Jury, Sheriff, Coroner, Magistrate, Officer, or Person having, by Law or by Consent of Parties, Authority to hear, receive, and examine Evidence; but that every Person so offered may and shall be admitted to give Evidence on Oath, or solemn Affirmation in those Cases wherein Affirmation is by Law receivable, notwithstanding that such Person may or shall have an Interest in the Matter in question, or in the Event of the Trial of any Issue, Matter, Question, or Injury, or of the Suit, Action, or Proceeding in which he is offered as a Witness, and notwithstanding that such Person offered as a Witness may have been previously convicted of any Crime or Offence: Provided that this Act shall not render competent any Party to any Suit, Action, or Proceeding individually named in the Record, or any Lessor of the Plaintiff, or Tenant of Premises sought to be recovered in Ejectment, or the Landlord or other Person in whose Right any Defendant in Replevin may make Cognizance, or any Person in whose immediate and individual Behalf any Action may be brought or defended, either wholly or in part, or the Husband or Wife of such Persons respectively; provided also, that this Act shall not repeal any Provision in a certain Act passed in the Session of Parliament holden in the Seventh Year of the Reign of His late Majesty and in the First Year of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Laws with respect to Wills:* Provided that in Courts of Equity any Defendant to any Cause pending in any such Court may be examined as a Witness on the Behalf of the Plaintiff or of any Co-defendant in any such Cause, saving just Exceptions; and that any Interest which such Defendant so to be examined may have in the Matters or any of the Matters in question in the Cause shall not be deemed a just Exception to the Testimony of such Defendant, but shall only be considered as affecting or tending to affect the Credit of such Defendant as a Witness.

Witnesses not to be excluded from giving Evidence by Incapacity from Crime or Interest.

Proviso.

Not to repeal any Provision in 7 W. 4. & 1 Vict. c. 26.

In Courts of Equity Defendant may be examined on behalf of the Plaintiff or any Co-defendant, &c.

II. And be it enacted, That wherever in any legal Proceedings whatever legal Proceedings may be set out, it shall not be necessary to specify that any particular Persons who acted as Jurors had made Affirmation instead of Oath, but it may be stated that they served as Jurymen, in the same Manner as if no Act had passed for enabling Persons to serve as Jurymen without Oath.

Not necessary to state that Jurors had made Affirmation.

III. And be it enacted, That nothing in this Act shall apply to or affect any Suit, Action, or Proceeding brought or commenced before the passing of this Act.

Previous Suits.

IV. And be it enacted, That nothing in this Act shall extend to *Scotland*.

Not to extend to Scotland.

CAP. LXXXVI.

An Act for regulating Hackney and Stage Carriages in and near *London*. [22d *August* 1843.]

'WHEREAS the Provisions for licensing the Drivers, Conductors, and Watermen of public Carriages in and near *London* need to be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

present Parliament assembled, and by the Authority of the same, That an Act passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the better Regulation of Hackney Carriages, and of Metropolitan Stage Carriages, and of Waggons, Carts, and Drays used in and near the Metropolis, and of Drivers and Attendants thereof*, shall be repealed: Provided always, that all Licences and Tickets granted under the said Act shall continue in force for the Time for which they were originally granted (if not sooner suspended or revoked), or until new Licences and Tickets shall be issued instead of them under this Act, and that all Offences against the Provisions of the said Act committed before the passing of this Act may be punished as if this Act had not been passed.

Repeal of 1 & 2 Vict. c. 79.

Licences to continue in force until others are granted.

II. And be it enacted, That the Words herein-after mentioned, which in their usual Signification have a more confined or different Meaning, shall in this Act (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction) be interpreted as follows; (that is to say,) the Words "Hackney Carriage" shall include every Carriage (except a Stage Carriage) which shall stand on Hire or ply for a Passenger for Hire at any Place within the Limits of the City of *London* and the Liberties thereof, and Metropolitan Police District; and the Words "Metropolitan Stage Carriage" shall include every Stage Carriage except such as shall on every Journey go to or come from some Town or Place beyond the Limits aforesaid; and the Word "Proprietor" shall include every Person who, either alone or in Partnership with any other Person, shall keep any Hackney Carriage or any Metropolitan Stage Carriage, or who shall be concerned otherwise than as a Driver or Attendant in employing for Hire any Hackney Carriage or any Metropolitan Stage Carriage; and the Word "Conductor" shall include every Director or other Person, except the Driver, who shall attend upon the Passengers in any Metropolitan Stage Carriage; and the Word "Waterman" shall include every Person supplying Water to the Drivers of Hackney Carriages at the Standings or Places where Hackney Carriages usually stand or ply for Hire, and every Person assisting the Drivers at such Standings in managing or taking care of the Horses or Carriages, and every Attendant upon any Metropolitan Stage Carriage at Places where such Carriages usually stop or ply for Passengers; and the Word "Passenger" shall include every Person carried by any Hackney Carriage, or by any Metropolitan Stage Carriage, except One Driver, and, where there shall be a Conductor to such Metropolitan Stage Carriage, One Conductor; and the Word "Horse" shall include every Mare and Gelding; and every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as to one Person or Thing; and every Word importing the Masculine Gender only shall extend to a Female as well as to a Male.

Meaning of certain Words used in this Act.

III. And be it enacted, That so much of an Act passed in the Second Year of the Reign of His late Majesty, intituled *An Act to amend the Laws relating to Hackney Carriages, and to Waggons, Carts, and Drays used in the Metropolis; and to place the Collection of the Duties on Hackney Carriages and on Hawkers and Pedlars in* England *under the Commissioners of Stamps*, as relates to Hackney Carriages and to Watermen, and not hereby repealed, and except as to the Appointment of Watermen by the aforesaid Commissioners, shall extend and apply to Hackney Carriages and to Watermen within the Meaning of this Act: Provided always, that nothing in this Act contained shall render liable to the Duties imposed by the said Act of the Second Year of His late Majesty any Hackney Carriage which shall not be used for the Purpose of standing or plying for Hire at any Place within the Distance of Five Miles from the General Post Office in the City of *London*.

Certain Provisions of 1 & 2 W. 4. c. 22. extended to this Act.

Proviso.

IV. 'And whereas by the said recited Act passed in the Reign of His late Majesty it was enacted, 'that the Owner of every Waggon, Cart, Car, Dray, or other Carriage should, before any such Carriage 'should be driven or used in any public Street or Road, within the Distance of Five Miles from the 'General Post Office in the City of *London*, paint or cause to be painted in Words at full Length, and in 'One or more straight Line or Lines, upon some conspicuous Place on the right or off Side of every 'such Carriage, clear of the Wheel or Wheels thereof, or upon the right or off-side Shaft thereof, the true 'Christian Name and Surname and Place of Abode of the Owner, or, if there be more than One, of the 'principal Owner of such Carriage, in the Manner in such Act directed;' be it enacted, That in all Cases where the Owner of any such Carriage shall be a Peer of the Realm, or shall be known or usually designated by some Title of Rank, it shall be deemed to be a Compliance with the Provisions of the aforesaid Act that the Title only and Place of Abode of such Peer or other Person shall be painted in the Manner therein described upon any such Waggon, Wain, Cart, or other Carriage.

Title and Place of Abode of a Peer of the Realm printed on any Carriage, &c. to be deemed a Compliance with the Provisions of the Act.

V. And be it enacted, That it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint a fit Person to be the Registrar of Metropolitan public Carriages, and also all such Officers as the said Secretary of State shall deem necessary for the Assistance of such Registrar in the due Execution of this Act; and in the case of any authorized Absence from his Office, or temporary Inability of the said Registrar, it shall be lawful for the said Secretary of State to appoint such Person as he shall think fit to act as the Deputy of the said Registrar during such Absence or Inability of the Registrar to act, and such Person while he shall so act shall have the same Powers and Authority as the said Registrar; and the said Secretary of State may, at his Discretion, remove any such Registrar, Deputy Registrar, or any of the said Officers, and upon any Vacancy occasioned by such Removal or otherwise, appoint some other fit Person to be such Registrar, Deputy Registrar, or Officer: Provided always, that the Registrar and other Officers appointed under the Act hereby repealed shall continue to occupy the same Offices under this Act, without any Appointment, until discharged by due Course of Law.

Appointment of Registrar, Deputy Registrar, and other Officers.

VI. And be it enacted, That the Commissioners of Her Majesty's Treasury shall appoint such Salaries to be paid to the said Registrar, Deputy Registrar, and Officers, as they shall think proper; which Salaries, together with such other Expences in and about the Execution of this Act as the said Commissioners of

Salaries.

the Treasury shall direct, shall be paid by the Commissioners of Stamps and Taxes out of any Monies to arise from any of the Duties under their Care and Management.

Particulars to be painted on Metropolitan Stage Carriages.

VII. And be it enacted, That the Proprietor of every Metropolitan Stage Carriage shall keep distinctly painted, both on the Outside and Inside of the same, in such a Manner and in such a Position as shall from Time to Time be directed by the Registrar, the Words "Metropolitan Stage Carriage," or such other Words as the Registrar shall direct, together with the Number of the Stamp Office Plate relating to such Carriage; and shall also, on the Inside of every such Carriage, keep distinctly painted in a conspicuous Manner a Table of Fares to be demanded of Passengers by such Carriage; and the Fares therein specified shall be deemed to be the only lawful Fares, and may be recovered by the Driver or Conductor as in the Case of Hackney Carriages, in a summary Way, before any Justice of the Peace; and every Proprietor making default in the Premises shall forfeit the Sum of Twenty Shillings for every Offence.

Registrar to grant Licences.

VIII. And be it enacted, That it shall be lawful for the Registrar to grant a Licence to act as Driver of Hackney Carriages, or as Driver or as Conductor of Metropolitan Stage Carriages, or as Waterman, (as the Case may be,) to any Person who shall produce such a Certificate as shall satisfy the said Registrar of his good Behaviour and Fitness for such Situation respectively: Provided always, that no Person shall be licensed as such Driver as aforesaid who is under Sixteen Years of Age; and in every such Licence shall be specified the Number of such Licence, and the proper Name and Surname, and Place of Abode, and Age, and a Description of the Person to whom such Licence shall be granted, and, in the Case of a Waterman, of the Standing or Place at which he shall be thereby authorized to act as a Waterman, and the Nature of his Duties; and every such Licence shall bear Date on the Day on which the same shall be granted, and shall continue in force until and upon the First Day of *June* next after the Date thereof, or if granted in the Month of *May* in any Year, then to continue in force until and upon the First Day of *June* in the Year next following that in which the same shall be granted, except in either Case the same shall be sooner revoked, and except the Time (if any) during which any such Licence shall be suspended; and on every Licence of a Driver or Conductor the Registrar shall cause proper Columns to be prepared, in which every Proprietor employing the Driver or Conductor named in such Licence shall enter his own Name and Address, and the Days on which such Driver or Conductor shall enter and shall quit his Service respectively; and in case any of the Particulars entered or endorsed upon any Licence in pursuance of this Act shall be erased or defaced every such Licence shall be wholly void and of none Effect; and the said Registrar shall, at the Time of granting any Licence, deliver to the Driver, Conductor, or Waterman to whom the same shall be granted, an Abstract of the Laws in force relating to such Driver, Conductor, or Waterman, and of the Penalties to which he is liable for any Misconduct, and also a Metal Ticket, upon which there shall be marked or engraved his Office or Employment, and a Number corresponding with the Number which shall be inserted in such Licence.

At the Time of granting any Licence an Abstract of the Laws and a Ticket to be given.

A Stamp Duty of 5*s.* on every Licence granted under this Act.

IX. And be it enacted, That there shall be charged upon and in respect of every Licence to be granted under the Authority of this Act, except as herein-after provided, a Duty of Five Shillings, and that the same shall be under the Care and Management of the Commissioners of Stamps and Taxes, and shall be deemed to be a Stamp Duty, and shall be within the Provisions of all Acts for raising, levying, or securing the Stamp Duties, or any of them; and the said Commissioners, upon Application for that Purpose made by the said Registrar, shall issue to him Vellum, Parchment, or Paper for such Licences, duly stamped, for denoting the Duties charged by this Act, either upon the present Payment of the Duties payable on such Licences, or upon giving such Security for the Payment thereof, and upon such Terms and subject to such Regulations as the said Commissioners shall think proper: Provided always, that in case any Person shall apply for a new Licence who shall have been previously licensed, and shall either not have returned his Metal Ticket on the Expiration of his former Licence, or, if such Licence be still in force, shall not have returned the Requisition for a new Licence on the Day appointed for that Purpose by the Registrar, or shall not apply for his new Licence on the Day in like Manner appointed for that Purpose, it shall be lawful for the Registrar to charge him any additional Sum for his Licence not exceeding Five Shillings.

Penalty on Persons acting as Drivers, &c. without Licences and Tickets, 5*l.*;

X. And be it enacted, That it shall not be lawful for any Person to act as Driver of any Hackney Carriage, or as Driver or Conductor of any Metropolitan Stage Carriage, whether such Person shall or shall not be the Proprietor of such Carriage, or for any Person to act as a Waterman, within the Limits of this Act, unless in each Case such Person shall have a Licence so to do, and a numbered Ticket granted to him under the Authority of this Act, and remaining in force; and every Person who shall act as such Driver or Conductor or Waterman without such Licence and Ticket, and every licensed Waterman acting at any other Standing or Place than those mentioned in his Licence, and also every Person to whom a Licence and Ticket shall have been granted, who shall, except in compliance with the Provisions of this Act, transfer or lend such Licence, or permit any other Person to use or wear such Ticket, shall for every such Offence forfeit the Sum of Five Pounds; and every Proprietor who shall knowingly suffer any Person not duly licensed under the Authority of this Act to act as Driver of any Hackney Carriage, or as Driver or as Conductor of any Metropolitan Stage Carriage, of which he shall be the Proprietor, shall for every such Offence forfeit the Sum of Ten Pounds: Provided always, that nothing herein-before contained shall subject to any Penalty any Proprietor who shall employ any unlicensed Person to act as such Driver or Conductor as aforesaid for any Time not exceeding Twenty-four Hours, or any unlicensed Person who shall be so employed for the said Time, upon Proof being adduced by the Proprietor, to the Satisfaction of the Justice of the Peace before whom such Proprietor, Driver, or Conductor shall be required to attend to answer for such Offences respectively, that such Employment was occasioned by unavoidable

on Proprietors suffering Drivers or Conductors so to do, 10*l.*

unavoidable Necessity; and that every Proprietor who shall so employ such unlicensed Driver or Conductor, and every such unlicensed Driver or Conductor, shall be subject to all the Powers, Provisions, and Proceedings of and under this Act or the said recited Act of His late Majesty for any Act done by such Driver or Conductor during such Employment, in like Manner as if such Driver or Conductor had been duly licensed.

Watermen may be removed to other Standings.

XI. And be it enacted, That it shall be lawful for the Registrar, if he shall deem it expedient for the good Conduct of any Standing, to remove any Waterman from such Standing, and to appoint him to any other Standing, and to endorse such Removal upon his Licence; and any Waterman neglecting to produce his Licence for the Purpose of making such Endorsement upon it, when required so to do by the Registrar, shall forfeit Forty Shillings, and so from Time to Time until he shall produce the same.

Appointment of temporary Watermen.

XII. And be it enacted, That in case of the temporary Inability of any Waterman it shall be lawful for the Registrar to issue to any competent Person an unstamped Licence to act in the Place of such Waterman, for such a Period as the Registrar shall think fit, and to recall the same at his Discretion; and any such temporary Waterman who shall neglect to return his Licence and Ticket to the Registrar, when called upon so to do, shall forfeit the Sum of Five Pounds.

For obtaining Water at Hackney Stands.

XIII. And be it enacted, That it shall be lawful for the Registrar, if he shall think fit, on the Application of any Waterman who shall be willing to render himself liable to the Water Rates, to procure Water to be laid on in some convenient Situation, adjacent to any Standing of Hackney Carriages, or at Places where Metropolitan Stage Carriages usually stop or ply for Hire, and to pay the Expences of the Water-cock and other necessary Apparatus for laying on the Water; and the Water supplied at every such Water-cock shall be under the Control of the Registrar; and any Waterman, or Person who has been a Waterman, refusing or neglecting to deliver up the Key of any such Water-cock, when required so to do by the Registrar, shall forfeit Five Pounds, and so from Time to Time until he shall deliver up the same.

Persons applying for Licences to sign a Requisition for the same.

XIV. And be it enacted, That before any such Licence as aforesaid shall be granted a Requisition for the same, in such Form as the said Registrar shall from Time to Time appoint for that Purpose, and accompanied with such Certificate as herein-before is required, shall be made and signed by the Person by whom such Licence shall be required; and in every such Requisition all such Particulars as the Registrar shall require shall be truly set forth; and every Person applying for or attempting to procure any such Licence, who shall make or cause to be made any false Representation in regard to any of the said Particulars, or who shall endeavour to obtain a Licence by any forged Recommendations, or who shall not truly answer all Questions which shall be demanded of him in relation to such Application for a Licence, and also every Person to whom Reference shall be made who shall, in regard to such Application, wilfully and knowingly make any Misrepresentation, shall forfeit for every such Offence the Sum of Five Pounds; and it shall be lawful for the Registrar to proceed for recovering of such Penalty before any Magistrate at any Time within One Calendar Month after the Commission of the Offence, or during the Currency of the Licence so improperly obtained.

Notice to be given by Drivers, Conductors, and Watermen of any Change of Abode.

XV. And be it enacted, That as often as any Driver or Conductor or Waterman shall change his Place of Abode he shall give Notice thereof in Writing, signed by him, to the said Registrar, specifying in such Notice his new Place of Abode, and shall at the same Time produce his Licence to the said Registrar, who shall endorse thereon a Memorandum specifying the Particulars of such Change; and every Driver, Conductor, or Waterman who shall change his Place of Abode, and shall neglect for Two Days to give Notice of such Change, and to produce his Licence in order that such Memorandum as aforesaid may be endorsed thereon, shall forfeit for every such Offence the Sum of Twenty Shillings; and it shall be lawful for the Registrar, or for any Person employed by him for that Purpose, to sue for such Penalty at any Time during the Currency of such Licence; and after the passing of this Act it shall not be necessary for the Proprietor of any Hackney Carriage to give to the Commissioners of Sewers, at the *Guildhall* in the City of *London*, the Account required by the said recited Act of the Second Year of the Reign of His late Majesty.

Particulars of Licences to be entered in a Book at the Registrar's Office.

XVI. And be it enacted, That the Particulars of every Licence which shall be granted as aforesaid shall be entered in Books to be kept for that Purpose at the Office of the said Registrar; and in all Courts, and before any Justice of the Peace, and upon all Occasions whatsoever, a Copy of any Entry made in any such Book, and certified by the Person having the Charge thereof to be a true Copy, shall be received as Evidence, and be deemed sufficient Proof of all Things therein registered, without requiring the Production of the said Book, or of any Licence, or of any Requisition or other Document upon which any such Entry may be founded; and every Person applying at all reasonable Times shall be furnished with a certified Copy of the Particulars respecting any licensed Person without Payment of any Fee.

Tickets to be worn by Drivers.

XVII. And be it enacted, That every licensed Driver, Conductor, and Waterman shall at all Times during his Employment, and when he shall be required to attend before any Justice of the Peace, wear his Ticket conspicuously upon his Breast, in such Manner that the whole of the Writing thereon shall be distinctly legible; and every Driver, Conductor, or Waterman who shall act as such, or who shall attend when required before any Justice of the Peace, without wearing such Ticket in manner aforesaid, or who, when thereunto required, shall refuse to produce such Ticket for Inspection, or to permit any Person to note the Writing thereon, shall for every such Offence forfeit the Sum of Forty Shillings.

Licences and Tickets to be delivered up on

XVIII. And be it enacted, That upon the Expiration of any Licence granted under this Act the Person to whom such Licence shall have been granted shall deliver such Licence and the Ticket relating thereto

the Discontinuance of Licences.

thereto to the said Registrar; and every such Person who, after the Expiration of such Licence, shall wilfully neglect for Three Days to deliver the same to the said Registrar, and also every Person who shall use or wear or detain any Ticket, without having a Licence in force relating to such Ticket, or who shall for the Purpose of Deception use or wear or have any Ticket resembling or intended to resemble any Ticket granted under the Authority of this Act, shall for every such Offence forfeit the Sum of Five Pounds; and it shall be lawful for the Registrar, or for any Person employed by him for that Purpose, to prosecute any Person so neglecting to deliver up his Licence or Ticket at any Period within Twelve Calendar Months after the Expiration of the Licence; and it shall be lawful for any Constable or Peace Officer, or any Person employed for that Purpose by the Registrar, to seize and take away any such Ticket, wheresoever the same may be found, in order to deliver the same to the said Registrar.

New Tickets to be delivered instead of defaced or lost Tickets.

XIX. And be it enacted, That whenever the Writing on any Ticket shall become obliterated or defaced, so that the same shall not be distinctly legible, and also whenever any Ticket shall be proved to the Satisfaction of the said Registrar to have been lost or mislaid, the Person to whom the Licence relating to any such Ticket shall have been granted shall deliver such Ticket (if he shall have the same in his Possession), and shall produce such Licence to the said Registrar, and such Person shall then be entitled to have a new Ticket delivered to him, upon Payment, for the Use of Her Majesty, of such Sum of Money, not exceeding Three Shillings, as the Registrar shall from Time to Time appoint: Provided always, that if any Ticket which shall have been proved, as aforesaid, or represented to have been lost or mislaid, shall afterwards be found, the same shall forthwith be delivered to the said Registrar; and every Person into whose Possession any such Ticket, as last aforesaid, shall be or come, who shall refuse or neglect for Three Days to deliver the same to the said Registrar, and also every Person licensed under the Authority of this Act who shall use or wear the Ticket granted to him after the Writing thereon shall be obliterated, defaced, or obscured, so that the same shall not be distinctly legible, shall for every such Offence forfeit the Sum of Forty Shillings.

Forgery of Licence or Ticket, or knowingly uttering a forged Licence or Ticket, a Misdemeanor.

XX. And be it enacted, That every Person who shall forge or counterfeit, or who shall cause or procure to be forged or counterfeited, any Licence or Ticket by this Act directed to be provided for the Driver of a Hackney Carriage, or for the Driver or the Conductor of a Metropolitan Stage Carriage, or for any Waterman, and also every Person who shall sell or exchange, or expose to sale, or utter, any such forged or counterfeited Licence or Ticket, and also every Person who shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of such forged or counterfeited Licence or Ticket, knowing such Licence or Ticket to be forged or counterfeited, and also every Person knowingly and wilfully aiding and abetting any Person in committing any such Offence as aforesaid, shall be guilty of a Misdemeanor, and, being thereof convicted, shall be liable to be punished by Fine or Imprisonment, or by both, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Licence or Ticket, or for any Constable or Peace Officer, or any Person employed for that Purpose by the said Registrar, to seize and take away any such Licence or Ticket, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Registrar shall think proper.

Proprietor to retain the Licence of Drivers or Conductors employed by him, and produce them in case of Complaint.

XXI. And be it enacted, That every Proprietor of a Hackney Carriage and of every Metropolitan Stage Carriage, who shall permit or employ any licensed Person to act as the Driver or Conductor thereof, shall require to be delivered to him, and shall retain in his Possession, the Licence of such Driver or Conductor while such Driver or Conductor shall remain in his Service; and in all Cases of Complaint where the Proprietor of a Hackney Carriage or of a Metropolitan Stage Carriage shall be summoned to produce the Driver or Conductor of such Carriage before a Justice of the Peace, he shall also produce the Licence of such Driver or Conductor, if at the Time of receiving the Summons such Driver or Conductor shall be in his Service; and if any Driver or Conductor complained of shall be adjudged guilty of the Offence alleged against him, the Justice of the Peace before whom he shall be convicted shall in every Case endorse upon the Licence of such Driver or Conductor the Nature of the Offence, and the Amount of the Penalty inflicted; and every Proprietor who shall neglect to require to be delivered to him, and to retain in his Possession, the Licence of any Driver or Conductor during such Period as such Driver or Conductor shall remain in his Service, or who shall refuse or neglect to produce such Licence as aforesaid, shall for every such Offence forfeit the Sum of Three Pounds.

Magistrates to hear and determine Disputes.

XXII. And be it enacted, That it shall be lawful for any Justice of the Peace to hear and determine all Matters of Complaint between any Proprietor of a Hackney Carriage or Metropolitan Stage Carriage and the Driver or Conductor of the same respectively, and to order Payment of any Sum of Money that shall appear to be due to either Party for Wages or for the Earnings in respect of any such Carriage, or on account of any Deposit of Money, and to order Compensation to the Proprietor in respect of Damage or Loss which shall have arisen through the Neglect or Default of any Driver or Conductor to the Property of his Employer intrusted to his Care, or in respect of any Sum of Money which such Proprietor may have been lawfully ordered by a Justice of the Peace to pay, and which has been actually paid pursuant to such Order, on account of the Negligence or wilful Misconduct of his Driver or Conductor, and to order such Compensation to either Party in respect of any other Matter of Complaint between them as to such Justice shall seem proper.

Agreements between Drivers, &c. and Proprietors to be in Writing.

XXIII. Provided always, and be it enacted, That it shall not be lawful, either in any Court of Law or before any Justice of the Peace, to enforce the Payment of any Sum of Money claimed from any Driver or Conductor by any Proprietor on account of the Earnings of any Hackney Carriage or Metropolitan Stage Carriage, unless under an Agreement in Writing, which shall have been signed by such Driver

Driver or Conductor in the Presence of a competent Witness; and no such Agreement shall be liable to any Stamp Duty.

Proceedings with respect to Licences on quitting Service.

XXIV. And be it enacted, That when any licensed Driver or Conductor shall leave the Service of any Proprietor, such Proprietor shall, upon Demand thereof, return to him his Licence: Provided always, that if the said Proprietor shall have any Complaint against the said Driver or Conductor, it shall be lawful for such Proprietor to retain the Licence for any Time not exceeding Twenty-four Hours after the Demand thereof, and within that Time to apply to the Police Court of the District in which the said Proprietor shall dwell, or if he shall dwell in the City of *London* or the Liberties thereof, then to some Justice of the said City, for a Summons against him; and the said Proprietor, at the Time of applying for the Summons, shall deposit the Licence with the Clerk of such Police Court or Justice; and in case any Proprietor, who, upon Demand thereof, shall have refused or neglected to deliver to any Driver or Conductor his Licence, shall not within Twenty-four Hours, exclusive of *Sunday* or any Day on which the Police Court shall not sit, apply for such Summons, and deposit the Licence as aforesaid, or shall not appear to prosecute his Complaint at the Time mentioned in the Summons, it shall be lawful for such Driver or Conductor to apply at the same Police Court, or to some Justice as aforesaid, for a Summons against such Proprietor; and upon hearing and deciding the Case the Justice, if he shall think there was no just Cause for detaining the Licence, or that there has been needless Delay on the Part of the Proprietor in bringing the Matter to a hearing, shall have Power to order the said Proprietor to pay such Compensation to the said Driver or Conductor as the said Justice shall think reasonable; and Payment of such Compensation shall be enforced in the same Manner as any Penalty may be enforced under this Act by such Justice; and the Justice shall cause the Licence to be delivered to the said Driver or Conductor, unless any Misconduct shall be proved against him, by reason whereof the Justice shall think that such Licence should be revoked or suspended; and so long as any Proprietor shall neglect to apply for such Summons and deposit the Licence, after Demand thereof, any Justice of the Peace may in like Manner from Time to Time order Compensation to be paid by him to the same Driver or Conductor; and no Proprietor shall, under any Pretence or by virtue of any Claim whatever, retain beyond the Time aforesaid the Licence of his Driver or Conductor.

Licences may be revoked or suspended,

XXV. And be it enacted, That it shall be lawful for any Justice of the Peace before whom any Driver, Conductor, or Waterman shall be convicted of any Offence, whether under this Act or any other Act, if such Justice in his Discretion shall think fit, to revoke the Licence of such Driver, Conductor, or Waterman, and also any other Licence which he shall hold under the Provisions of this Act, or to suspend the same for such Time as the Justice shall think proper, and for that Purpose to require the Proprietor, Driver, Conductor, or Waterman in whose Possession such Licence and the Ticket thereunto belonging shall then be to deliver up the same; and every Proprietor, Driver, Conductor, or Waterman, who, being so required, shall refuse or neglect to deliver up such Licence and any such Ticket, or either of them, shall forfeit, so often as he shall be so required and refuse or neglect as aforesaid, the Sum of Five Pounds; and the Justice shall forthwith send such Licence and Ticket to the Registrar, who shall cancel such Licence if it has been revoked by the Justice, or, if it has been suspended, shall, at the End of the Time for which it shall have been suspended, re-deliver such Licence, with the Ticket, to the Person to whom it was granted.

Hackney Carriage Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence.

XXVI. And be it enacted, That in any Case where any Hackney Carriage Licence shall have been discontinued or revoked, and the Stamp Office numbered Plate in respect of the same shall not have been delivered up to the Commissioners of Stamps and Taxes or their proper Officer, or where any Hackney Carriage Plate shall have been recalled, under the said Act of the Second Year of the Reign of His late Majesty, by such Commissioners or Officer, and the same shall not have been delivered up as by Law required, and in any Case where any Hackney Carriage Plate shall be in the Possession of or be used by any Person who shall not have a Licence in force relating to the same, it shall be lawful for any Officer of Stamp Duties, or any Constable or other Peace Officer, to seize and take away any such Plate wheresoever the same may be found, in order to deliver the same to the said Commissioners; and for the Purpose of seizing and taking away any such Plate, or any forged or counterfeit Plate, it shall be lawful for any such Officer of Stamp Duties, Constable, or Peace Officer to stop any Carriage in or upon which the same may be; and any Person who shall molest, obstruct, or hinder any such Officer of Stamp Duties, Constable, or Peace Officer in seizing or endeavouring to seize or take away any such Plate shall forfeit the Sum of Five Pounds; and if in any such Case where any such Plate shall be found in the Possession of any Person who shall not have a Licence in force relating to the same, it shall appear to the Satisfaction of the said Commissioners that the said Plate is or was so possessed by such Person for the Purpose of being used with the Consent of the Person to whom the Licence relating to the same shall have been granted, or that such licensed Person had parted with the same for the Purpose of being used by any other Person, and also in any Case where any Plate shall have been recalled as aforesaid and not delivered up, it shall be lawful for the said Commissioners, if they shall think proper to revoke the Licence to which such Plate shall relate.

Penalty for obstructing Officer, 5*l.*

Licences may be revoked in certain Cases.

No Person to act as Driver of any Carriage without the Consent of the Proprietor.

XXVII. And be it enacted, That every Driver or Conductor authorized by any Proprietor to act as Driver of any Hackney Carriage, or as Driver or Conductor of any Metropolitan Stage Carriage, who shall suffer any other Person to act as Driver of such Hackney Carriage, or as Driver or Conductor of such Metropolitan Stage Carriage, without the Consent of the Proprietor thereof, and also every Person, whether duly licensed or not, who shall act as Driver or as Conductor of any such Carriage without the Consent of the Proprietor thereof, shall forfeit the Sum of Forty Shillings; and every Driver or Conductor charged with such Offence, who, when required by a Justice of the Peace so to do, shall not truly make known

known the Name and Place of Abode of the Person so suffered by him to act as Driver or Conductor without Consent of the Proprietor, and also the Number of the Ticket of such Person (if licensed), shall be liable to a further Penalty of Forty Shillings; and it shall be lawful for any Police Constable, without any Warrant for that Purpose, to take into Custody any Person unlawfully acting as a Driver or as a Conductor or as Waterman, and to convey him before any Justice of the Peace, to be dealt with according to Law, and also, if necessary, to take charge of the Carriage and every Horse in charge of such Person, and to deposit the same in some Place of safe Custody until the same can be applied for by the Proprietor.

Punishment for furious driving, and wilful Misbehaviour.

XXVIII. And be it enacted, That every Driver of a Hackney Carriage, or Driver or Conductor of a Metropolitan Stage Carriage, who shall be guilty of wanton or furious driving, or who by Carelessness or wilful Misbehaviour shall cause any Hurt or Damage to any Person or Property being in any Street or Highway, and also every Driver, Conductor, or Waterman who during his Employment shall be drunk, or shall make use of any insulting or abusive Language, or shall be guilty of any insulting Gesture or any Misbehaviour, shall for every such Offence forfeit the Sum of Three Pounds; or it shall be lawful for the Justice before whom such Complaint shall be brought, if in his Discretion he shall think proper, instead of inflicting such Penalty, forthwith to commit the Offender to Prison for any Period not exceeding Two Calendar Months, with or without hard Labour, as the Justice shall direct; and in every Case where any such Hurt or Damage shall have been caused the Justice, upon the hearing of the Complaint, may adjudge, as and for Compensation to any Party aggrieved as aforesaid, a Sum not exceeding Ten Pounds, and may order the Proprietor of the Hackney Carriage or Metropolitan Stage Carriage, the Driver or Conductor of which shall have caused such Hurt or Damage, forthwith to pay such Sum, and also such Costs as shall have been incurred, and Payment thereof may be enforced against such Proprietor as any Penalty or Sum of Money may be recovered under and by virtue of this Act; and any Sum which shall be so paid by the Proprietor shall in like Manner be recovered in a summary Way before a Justice of the Peace from the Driver or Conductor through whose Default such Sum shall have been paid, upon Proof of the Payment thereof, pursuant to the Order of the Justice, or it shall be lawful for the Justice in the first instance to adjudge the Amount of such Compensation to be paid by such Driver or Conductor to the Party aggrieved.

Standings for Hackney Carriages to be appointed.

XXIX. And be it enacted, That it shall be lawful for the Commissioners of Police of the Metropolis from Time to Time to appoint Standings for Hackney Carriages at such Places as they shall think convenient within the Metropolitan Police District, except the Borough of *Southwark*, and at their Discretion to alter the same, and from Time to Time to make Regulation concerning the Boundaries of the same, and the Number of Carriages to be allowed at any such Standing, and also to make Regulations for enforcing Order at the Places at which Metropolitan Stage Carriages shall call or ply for Passengers, and for fixing the Time during which each such Carriage shall be allowed to remain at any such Place; and every Driver of a Hackney Carriage, and also every Driver or Conductor of a Metropolitan Stage Carriage, who shall wilfully disregard or not conform himself to such Regulations, shall for every such Offence forfeit the Sum of Forty Shillings.

Standings to be in the Centre of Streets.

XXX. And be it enacted, That no Standing shall be appointed for Hackney Carriages, either within the Metropolitan Police District or within the City of *London*, by virtue of this Act or of any other Act, except in the Centre Part of the Street, unless in the Case of a Street with Houses only on One Side of such Street.

Carriages not to ply opposite Gen. Post Office.

XXXI. And be it enacted, That nothing herein or in any other Act contained shall be deemed or construed to authorize any Hackney Carriage to stand or ply for Hire opposite to the General Post Office in *Saint Martins le Grand*, *London*, or any Part thereof.

Lord Mayor and Aldermen to make Regulations for Carriages in City and Borough.

XXXII. And be it enacted, That it shall be lawful for the Court of Mayor and Aldermen of the City of *London*, within the City of *London* and the Liberties thereof, and the Borough of *Southwark*, to make Regulations for enforcing Order at the Places at which Metropolitan Stage Carriages shall call or ply for Passengers, and for fixing the Time during which each such Carriage shall be allowed to remain at any such Place; and every Driver or Conductor of a Metropolitan Stage Carriage who shall wilfully disregard or not conform himself to such Regulations shall forfeit the Sum of Forty Shillings.

Penalty on Drivers of Hackney Carriages, or Drivers or Conductors of Metropolitan Stage Carriages, for loitering or causing any Obstruction, or plying for Hire by making any Noise, &c.

XXXIII. And be it enacted, That every Driver of a Hackney Carriage who shall ply for Hire elsewhere than at some Standing or Place appointed for that Purpose, or who by loitering or by any wilful Misbehaviour shall cause any Obstruction in or upon any public Street, Road, or Place, and also every Driver or Conductor of any Metropolitan Stage Carriage who by loitering or any wilful Misbehaviour shall cause any Obstruction in or upon any public Street, Road, or Place, or shall improperly delay such Carriage on any Journey, or wilfully deceive any Person in respect to the Route or Destination thereof, or who shall refuse to admit and carry at the lawful Fare any Passenger for whom there is Room, and to whose Admission no reasonable Objection is made, or who shall demand more than the legal Fare for any Passenger, or who, for the Purpose of taking up or setting down a Passenger, or, except in case of Accident or other unavoidable Necessity, shall stop such Carriage opposite to the End of any Street or upon any Place where Foot Passengers usually cross the Carriageway, or who shall ply for Hire or Passengers by blowing a Horn or by using any other noisy Instrument within the Limits of the Metropolis as defined by the said Act of the Second Year of the Reign of His late Majesty, and every Conductor of a Metropolitan Stage Carriage who shall allow any Person beside himself to ride upon the Steps or in the Place provided for him, and every Driver of a Hackney Carriage, whether hired or unhired, allowing any Person besides himself, not being the Hirer or a Person employed by such Hirer, to ride on the Driving Box, and every Driver or Conductor of any Metropolitan Stage Carriage who shall smoke whilst acting in such Capacity,

after

after an Objection taken by any Person riding in or upon such Carriage, shall for every such Offence forfeit the Sum of Twenty Shillings.

Property left in Stage Carriages.

XXXIV. And be it enacted, That all Property left by any Passenger in any Metropolitan Stage Carriage shall be given up to the Conductor of such Carriage, or, if there be no Conductor, to the Driver, upon pain of a Penalty of Twenty Pounds, to be paid by any Person refusing or neglecting to give up any such Property belonging to another Person; and the Conductor or Driver of every such Carriage to whom any such Property shall be given up, or who shall himself find it in the Carriage, shall, within Four Days next after the same shall have been left, carry the Property, in the State in which he shall find the same, to the Head Office for Stamps in the City of *Westminster*, and shall there deposit and leave the same with the proper Officer to be appointed by the Commissioners of Stamps and Taxes for that Purpose, upon pain that every such Conductor making default herein shall forfeit Twenty Pounds; and the Property so deposited by any Conductor or Driver shall be dealt with in the same Manner as Property left in Hackney Carriages and deposited by the Drivers of such Carriages.

Proprietors may be summoned to appear, and to produce the Driver or Conductor.

XXXV. And be it enacted, That when any Complaint shall be made before any Justice of the Peace against the Driver of any Hackney Carriage, or the Driver or the Conductor of any Metropolitan Stage Carriage, for any Offence committed by him against the Provisions of this Act, or of the recited Act of His late Majesty, or of any Order or Regulations made in pursuance of this Act, it shall be lawful for such Justice, if he shall think proper, forthwith to summon the Proprietor of such Carriage to produce before him, or such other Justice of the Peace as shall be then present, the Driver or Conductor by whom such Offence was committed, to answer such Complaint; and in case such Proprietor, after being duly summoned, shall fail to produce the Driver or Conductor, it shall be lawful for the Justice of the Peace before whom such Driver or Conductor should be produced (if he shall think fit) to proceed, in the Absence of such Driver or Conductor, to hear and determine the Case in the same Manner as if he had been produced, and to adjudge Payment by the Proprietor of any Penalty or Sum of Money and Costs in which the Driver shall be convicted; and any Sum of Money which shall be so paid by the Proprietor shall be recovered in a summary Way from the Driver or Conductor by whose Default such Sum shall have been paid upon Proof of Payment thereof, pursuant to the Order of the Justice, and upon Proof of Service of the Notice herein-after mentioned: Provided always, that if the Justice of the Peace shall deem it proper, it shall be lawful for him when such Proprietor shall fail to produce his Driver or Conductor, without any satisfactory Excuse to be allowed by such Justice, to impose a Fine of Forty Shillings upon such Proprietor, and so from Time to Time as often as he shall be summoned in respect of such Complaint until he shall produce his Driver and Conductor; and every Proprietor so summoned to produce his Driver or Conductor shall cause to be given to such Driver or Conductor, or to be left at the Abode specified in his Licence, or (if such Licence shall expire after the Offence committed and before the hearing of the Complaint) at his usual Place of Abode, a written Notice of the Time and Place when and where such Driver or Conductor shall be required to attend; and if such Driver or Conductor shall not attend according to such Notice it shall be lawful for a Justice of the Peace to issue a Warrant for his Apprehension, and if after such Notice any Driver or Conductor shall, without a reasonable Excuse to be allowed by the Justice, neglect or refuse to attend at the Time and Place therein mentioned, or (having previously left the Service of the Proprietor so summoned as aforesaid) shall not at the Time and Place of his Attendance produce his Licence, he shall forfeit the Sum of Forty Shillings, and so from Time to Time as often as he shall so neglect or refuse.

In case of Proprietors failing so to do.

Magistrates empowered to hear and determine Complaints.

XXXVI. And be it enacted, That it shall be lawful for any Magistrate specially appointed under the Authority of the said Act of the Reign of His late Majesty for the Purpose of hearing and determining Offences against the Provisions of that Act, or for such other Magistrate as shall be in attendance at the Office appointed in that Behalf, to hear and determine any Complaint for any Offence against the Provisions of this Act, or of any Act now in force or hereafter to be in force, wheresoever the Cause of Complaint may arise, within the City of *London* or the Liberties thereof, or elsewhere within the Limits of this Act, so far as the same shall relate to Hackney Carriages or to Metropolitan Stage Carriages, or to Watermen, in like Manner as if such Provisions had been included in the aforesaid Act.

Evidence of Complainant to be taken.

XXXVII. And be it enacted, That upon the hearing of any Complaint made under the Provisions of this Act or the recited Act passed in the Reign of His late Majesty, or of the Orders and Regulations aforesaid, it shall be lawful for the Justice of the Peace by whom the same shall be heard to examine and take the Evidence of the Informant or Complainant in any Dispute concerning the Amount of Fare paid or demanded by either Party, or in any Dispute between the Proprietor and Driver or Conductor of any Hackney Carriage or Metropolitan Stage Carriage concerning the Wages of such Driver or Conductor, or in any Complaint of personal Injury done to the Complainant by the Driver of any Hackney Carriage or Metropolitan Stage Carriage, or in any Case in which the Informant or Complainant shall be entitled to no pecuniary Advantage besides his Costs and Expences, or, being entitled to some Compensation or pecuniary Advantage, shall either give up all Claim to the same, or shall not be the only Witness in the Case.

Complaints to be made within Seven Days.

XXXVIII. And be it enacted, That all Complaints under the Provisions of the said recited Act of the Reign of His late Majesty or of this Act, or of the Orders and Regulations made in pursuance of either of them, except such as shall be made by the Direction of the Commissioners of Stamps and Taxes, and except in Cases where some other Term of Limitation is specially provided by this Act, shall be made within Seven Days next after the Day on which the Cause of Complaint shall have arisen.

Penalties may be awarded to be paid by Instalments.

XXXIX. And be it enacted, That it shall be lawful for any Justice of the Peace to hear and determine all Complaints under the Provisions of this Act or of the said recited Act of the Reign of His late Majesty, and to adjudge the Payment of any Penalty or of any Sum of Money under either of the said Acts, or of the Orders and Regulations made pursuant to either of them, and to order Payment of the same, with or without Costs, either immediately, or at such Time and Place, and by such Instalments, as he shall think fit; and in case of Nonpayment of the Sum so ordered to be paid, or of any One Instalment thereof, to adjudge the Party making default to be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Calendar Months, with or without hard Labour, such Imprisonment to cease on Payment of the Sum so adjudged or ordered to be paid, or to issue his Warrant for the levying of any such Sum of Money, together with the Costs and Expences of such Warrant or of levying the same, on the Goods of the Party making default, and to cause Sale to be made of such Goods in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any), and where Goods of such Party making default cannot be found sufficient to answer the Penalty or Sum ordered to be paid, and all such Costs and Expences, to commit such Party to Prison, there to remain for any Time not exceeding Two Calendar Months, unless such Penalty or Sum of Money, and all such Costs and Expences, shall be sooner paid; and every such Imprisonment shall be with or without hard Labour as such Justice shall direct: Provided always, that no Imprisonment for Nonpayment of any Sum ordered to be paid on account of Wages, or the Earnings of any Carriage, or of any Deposit of Money, shall be for a longer Period than One Calendar Month, or with hard Labour; and all Proceedings whatsoever before any Justice of the Peace under any of the Provisions of this Act or the recited Act of the Reign of His late Majesty, and the Judgment of the said Justice thereon, shall be final and conclusive between the Parties, and shall not be quashed or vacated for Want of Form, and shall not be removed by Certiorari, or any other Writ or Process, into any Superior Court.

In case of Nonpayment the Party may be imprisoned.

Proviso.

In what Manner Goods distrained under this Act shall be sold.

XL. And be it enacted, That in all Cases where any Goods or Chattels distrained or otherwise seized or taken under any of the Provisions of this Act or the recited Act of the late Reign are directed to be sold, the same shall be sold by public Auction, and Notice of the Time and Place of such Sale shall be given to the Owner of such Goods or Chattels, or left at his usual Place of Abode, Three Days at least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at an earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods or Chattels according to such Consent: Provided also, that if the Owner of such Goods or Chattels shall, at any Time before the Sale thereof, pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which he shall by such Warrant or Process be directed to levy or raise by the Sale of such Goods or Chattels, together with all reasonable Costs and Expences incurred, no Sale of such Goods or Chattels shall be made.

Service of Summonses and other Notices.

XLI. And be it enacted, That for the Purpose of serving Summonses and other Notices required by this or the recited Act of His late Majesty the usual Place of Abode of any Driver, Conductor, or Waterman, or of any Person who, having been licensed as a Driver, Conductor, or Waterman, has neglected to return his Metal Ticket at the Expiration of his Licence, shall be deemed to be the Place specified in the Licence; and that it shall be lawful for any Justice of the Peace in all Cases, upon Complaint being made in respect of any Matter within the Meaning of this or of the recited Act of His late Majesty, or of the Orders and Regulations made in pursuance thereof, to issue his Summons to require the Attendance of the Person complained of before the said Justice, or any other Justice, at a Time and Place to be appointed for that Purpose, or to issue a Warrant for the Apprehension of such Person, either in the first instance, or after the issuing and Service of such Summons and the Non-appearance of the Party summoned; and every Summons or other Notice required by this Act shall be deemed to be duly served, provided the same, or a Copy thereof, shall be either personally served or left at the usual Place of Abode of the Party to whom it shall be directed, or if he shall be a Party licensed under this or the recited Act of His late Majesty, then at the Place of Abode specified in his Licence.

Penalty on Witnesses refusing to attend or to give Evidence.

XLII. And be it enacted, That every Person summoned as a Witness to give Evidence touching any Matter to be heard under this Act or the recited Act of His late Majesty, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed by any Justice of the Peace, without a reasonable Excuse to be allowed by such Justice, or who shall appear but refuse to be examined or give Evidence, shall forfeit the Sum of Five Pounds.

Certain Proceedings to be drawn up according to the Forms in the chedule.

XLIII. And be it enacted, That every Summons or Warrant of Distress which shall be had or taken against the Proprietor of a Hackney Carriage or Metropolitan Stage Carriage, for the Default of the Driver or Conductor thereof, for the Recovery of any Penalty, Compensation, or Costs under the Provisions of this Act, or such Rules, Orders, and Regulations as aforesaid, may be drawn or made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, with such Changes as the Case may require; and that every Order, Conviction, Warrant, or other Proceeding which shall be drawn, had, or issued under the Provisions of this Act or of the recited Act of the Reign of His late Majesty, or of such Rules, Orders, and Regulations as aforesaid, shall be good and effectual without stating the Facts in Evidence, or more than the Matter or Offence in respect whereof such Order, Conviction, or other Proceeding as aforesaid shall have been had, made, or issued.

Providing for Cases where

XLIV. And be it enacted, That in every Case where there shall be more than One Proprietor of any Hackney Carriage or Metropolitan Stage Carriage, it shall be sufficient, in any Information, Summons, Order,

Order, Conviction, Warrant, or any other Proceeding under the Provisions of this Act or of the said recited Act of the Reign of His late Majesty, to name One of such Proprietors without reference to any other or others of them, and to describe and proceed against him as if he were sole Proprietor. *there are more Proprietors than One.*

XLV. And be it enacted, That it shall be lawful for any Justice of the Peace by whom any Person shall be convicted of any Offence under this Act, or under the recited Act of His late Majesty, to lessen the Penalty or Term of Imprisonment in such Manner as he may think fit. *Power to mitigate Penalties.*

XLVI. And be it enacted, That all Penalties or Sums of Money ordered and adjudged within the Metropolitan Police District to be paid under this Act or the recited Act of His late Majesty, and not otherwise appropriated, shall be payable to Her Majesty, and that all Penalties or Sums of Money ordered and adjudged within the City of *London* or the Liberties thereof to be paid under this Act or the recited Act of His late Majesty, and not otherwise appropriated, shall be payable to the Chamberlain of the City of *London*, in aid of the Expences of the Police of the said City. *Appropriation of Penalties.*

XLVII. And be it enacted, That all Actions and Prosecutions which shall be brought or commenced against any Person for any thing done under the Authority of this Act, or of such Orders and Regulations as aforesaid, shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the City of *London* or the County of *Middlesex*, and not elsewhere; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and if the Cause of Action shall appear to arise from any Matter or Thing done by the Authority of this Act, or of any such Orders and Regulations as aforesaid, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced, by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; and if a Verdict shall pass for the Defendant, or if the Plaintiff shall become nonsuit, or shall discontinue any such Action, or if, on Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suit in other Cases of Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall at the Time of such Trial certify in Writing his Approbation of the Action, and of the Verdict obtained thereupon. *Limitation of Actions. Venue. Notice of Action. Tender of Amends.*

XLVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. *Act may be amended, &c.*

SCHEDULE referred to in the foregoing Act.

No. 1.

Form of a Summons to the Proprietor of a Hackney Carriage or a Metropolitan Stage Carriage to produce the Driver or Conductor thereof to answer a Complaint.

To *E.F.* of, *&c.*, Proprietor of the Hackney Carriage, Number [*or* the Metropolitan Stage Carriage, Number].

WHEREAS Complaint hath been made by *C.D.* against the Driver of the Hackney Carriage, Number [*or* the Driver *or* Conductor of the Metropolitan Stage Carriage, Number], on the Day of now last past [*or* instant], charging that the said Driver [*or* Conductor], on the Day of now last past [*or* instant], (of which said Carriage you were then the Proprietor,) at or about the Hour of did [*here state the alleged Offence*]: These are therefore to require you to produce the said Driver *or* Conductor before me, or such other Magistrate as shall be present, at on the Day of at of the Clock in the noon, then and there to answer the said Complaint.

Dated the Day of

(Signed)
One of the Police Magistrates of the Metropolis,
[*or*
One of Her Majesty's Justices of the Peace for]

No. 2.

Form of a Warrant of Distress for levying upon the Proprietor of a Hackney Carriage or Metropolitan Stage Carriage the Penalty in which the Driver or Conductor thereof has been convicted.

To *A.B.* of, *&c.*

Metropolitan Police District to wit. } WHEREAS *C.D.*, the Driver of the Hackney Carriage, Number [*or* the Driver *or* Conductor of the Metropolitan Stage Carriage, Number], on the Day of was duly convicted of a certain Offence, for that [*here state the Offence*], whereby he hath been adjudged to forfeit the Sum of over and above the Sum of for the Costs and Charges of the Informer, making together the Sum of which hath not been paid by the said Driver [*or* Conductor], nor by any Person on his Behalf: And whereas, according to

the Statute in that Behalf made, the said *E.F.*, the Proprietor of the said Carriage, hath been required to pay the said Sum of which he hath neglected and refused to do: Therefore I command you to levy the said Sum of by distraining the Goods and Chattels of the said *E.F.*, the said Proprietor; and if within the Space of Five Days next after such Distress taken the said Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then I order and direct that you shall sell and dispose of the said Goods and Chattels which shall be so distrained, taken, and seized as aforesaid, and shall levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking and keeping and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels; and you are to certify to me what you shall have done by virtue of this my Warrant. Given under my Hand and Seal the Day of

(Signed)
One of the Police Magistrates of the Metropolis,
[*or*
One of Her Majesty's Justices of the Peace for]

No. 3.

Form of Warrant of Commitment of the Proprietor of a Hackney Carriage or Metropolitan Stage Carriage for Want of a sufficient Distress whereon to levy the Penalty in which the Driver or Conductor of such Carriage has been convicted.

To *A.B.* of, *&c.*, and to the Keeper of the Common Gaol [*or* House of Correction] at

Metropolitan Police District to wit. } WHEREAS, *&c.* [*proceed as in the Form No. 2. to the Words* "which he hath neglected and refused to do," *inclusive*]: And whereas it has been duly made to appear to me that no sufficient Distress of the Goods and Chattels of the said *E.F.*, the said Proprietor, can be found whereon to levy the said Sum of : Therefore I command you the said *A.B.* to apprehend and take the said *E.F.*, and safely to convey him to the Common Gaol [*or* House of Correction] at in the of and there to deliver him to the Keeper thereof, together with this Warrant. And I do hereby command you the said Keeper to receive into your Custody in the said Gaol [*or* House of Correction] him the said *E.F.*, and him therein safely to keep for the Space of unless the said Sum of shall be sooner paid.

Given under my Hand and Seal the Day of

(Signed)
One of the Police Magistrates of the Metropolis,
[*or*
One of Her Majesty's Justices of the Peace for]

CAP. LXXXVII.

An Act for raising the Sum of Eleven millions one hundred and thirty-two thousand one hundred Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and forty-three; and for amending an Act for granting Relief to certain Islands in the *West Indies*. [24th *August* 1843.]

" Treasury may raise £11,132,100 by Exchequer Bills, in like Manner as is prescribed by 48 *G.* 3. *c.* 1., " 4 & 5 *W.* 4. *c.* 15., 5 & 6 *Vict. c.* 66.—§ 1. The Clauses, &c. in recited Acts extended to this Act. § 2. " The Treasury to apply the Money raised. § 3. Bills, how to be charged and paid. § 4. Interest on " Bills. § 5. Bills charged on Supplies to be current in Payment of Public Revenue after Twelve " Calendar Months from their Dates. § 6. Bills charged on Consolidated Fund, how to be payable. § 7. " Bank of England may advance £11,132,100 on the Credit of Bills. § 8."

Security for Discharge of Exchequer Bills.

IX. ' And whereas by an Act passed in the present Session of Parliament, intituled *An Act for granting* ' *Relief to the Islands of* Antigua, Saint Kitts, Nevis, Dominica, *and* Montserrat, the Commissioners of ' Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* are empowered to cause ' any Number of Exchequer Bills to be made out at the Receipt of the Exchequer, for any Sum or Sums ' of Money, not exceeding in the whole the Sum of One hundred and fifty thousand Pounds, for the ' Purposes set forth in the said Act;' be it enacted, That on the several Days on which any Exchequer Bills made pursuant to the said Act shall become payable, or within Ten Days thereafter, the said Commissioners of Her Majesty's Treasury shall cause an Account to be taken, and attested by the proper Officers, of all such Exchequer Bills falling due on such Days, and of the Monies which shall then be in the Bank of *England* applicable to the Payment of the same; and the Deficiency shall be made good out of the Supplies which shall be or shall have been granted for the Service of the Year in which such Exchequer Bills shall become payable; and in case the Monies arising from such Supplies shall not at the Time be sufficient for that Purpose, then all the Exchequer Bills remaining undischarged, with the Interest and Charges incident to the same, shall be charged upon such Monies as at any Time after any such Deficiencies shall happen shall be in the Bank of *England* to the Credit of the Consolidated Fund of *Great Britain* and *Ireland*, except such Monies of the said Consolidated Fund as may be or may have been appropriated to any particular Use or Uses by any Act or Acts in that Behalf: Provided always, that whatever

whatever Monies shall be so issued out of the Consolidated Fund shall from Time to Time be replaced out of the first Supplies to be thereafter granted in Parliament, and whatever Monies shall thereafter be paid into the Bank of *England* on account of the Repayments to be made by virtue of the said Act shall be applied towards replacing the Monies before issued out of the said Supplies or Consolidated Fund, as the Case may be.

CAP. LXXXVIII.

An Act for the Completion of a Parochial Church in the Parish of *Saint Michael* in the City of *Limerick*, and for securing the Nomination of a Perpetual Curate thereto. [22d *August* 1843.]

'WHEREAS the Parish of *Saint Michael* in the County of the City of *Limerick* hath from Time immemorial been united to the Parishes of *Ardagh* and *Kildimo*, which Union forms the Archdeaconry of *Limerick*, but there is no Parish Church in the said Parish of *Saint Michael:* And whereas by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable the Lord Bishop of* Limerick *to sell and dispose of* Saint George's *Chapel in the City of* Limerick, *and the Land on which the same is built (heretofore Part of the Estate of the Earl of* Limerick), *and to apply the Proceeds of such Sale in the Erection of a new Chapel*, after reciting, that by an Indenture bearing Date the Twenty-sixth Day of *January* One thousand eight hundred and four, and made between *Edmond Sexton Pery* late Viscount *Pery*, since deceased, of the First Part, *Anthony Lefroy* of the City of *Limerick*, Esquire, of the Second Part, and the Right Reverend Father in God *Thomas* Lord Bishop of *Limerick* of the Third Part, a Chapel, and the Ground upon which the same stood, situate at the Corner of *George's Street* and *Mallow Street* in the said City of *Limerick*, and also a small Piece of Ground adjoining the same, were conveyed or intended to have been conveyed by the said *Edmond Sexton Pery* Viscount *Pery* unto the said *Thomas* Lord Bishop of *Limerick* and his Successors, Bishops of *Limerick*, upon Trust for permitting the said Chapel to be used as a Chapel for ever; and reciting, that since the Decease of the said *Edmond Sexton* Viscount *Pery* the said Chapel had been used by the Protestant Inhabitants of the Neighbourhood for Religious Worship, but the said Chapel was far too small for the Accommodation of the Protestant Inhabitants of the Neighbourhood; and reciting, that by an Indenture of Release bearing Date the Twenty-fourth Day of *December* One thousand eight hundred and thirty-two, grounded on a Lease for a Year bearing Date the Twenty-third Day of the same Month, and made between the said *Edmond Henry* Earl of *Limerick* of the one Part, and the Churchwardens of the said Parish of *Saint Michael* of the other Part, after reciting therein an Act passed in the Parliament held in *Ireland* in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for reviving and amending an Act passed in the Twenty-third Year of His then present Majesty's Reign, intituled 'An Act for amending, continuing, and making more effectual the several Acts now in force in this Kingdom for the more easy Recovery of Tithes and other Ecclesiastical Dues of small Value; and also for the more easy providing a Maintenance for Parish Clerks; and to encourage the building of new Churches;'* and also reciting, that the said *Edmond Henry* Earl of *Limerick* was then seised of the Plot, Piece, or Parcel of Land or Ground therein-after described, and thereby granted and released or otherwise assured, or intended so to be, for his Life, with immediate Remainder over to his own Issue; and also reciting, that it was desirable and expedient that a new Church should be built for the Accommodation of the Protestant Inhabitants of the said Parish of *Saint Michael*, it was by the said Indenture witnessed that the said *Edmond Henry* Earl of *Limerick*, by virtue and in execution of the Power and Authority given to him by the said recited Act, and of all other Powers and Authorities in anywise enabling him in that Behalf, did give, grant, release, and confirm unto the Churchwardens of the said Parish of *Saint Michael*, and their Successors for ever, all that Plot, Piece, or Parcel of Ground situate in the Centre of the new Street intended to be opened from the West End of *Pery Square* in the City of *Limerick* to the Lands of *Ballinacurra* in the said City, containing in Length One hundred and ten Feet and in Breadth Sixty-six Feet, to hold the same unto and to the Use of the said Churchwardens and their Successors for ever as and for a Site for said intended new Church for the Use of the Parishioners of the said Parish; and reciting, that the better to effect the Erection of such new Church or Chapel it was expedient that the said Chapel, Ground, and Premises comprised in the said recited Indenture of the Twenty-sixth Day of *January* One thousand eight hundred and four should be sold, and that the Money to arise from the Sale thereof should be applied for the Purposes and in manner therein-after expressed and declared concerning the same, it was by the said Act now in recital enacted, that it should be lawful for the Right Reverend *John* Lord Bishop of *Limerick*, or the Lord Bishop of *Limerick* for the Time being, to make sale and dispose of the said Chapel, Ground, and Premises comprised in the said therein-before recited Indenture of the Twenty-sixth *January* One thousand eight hundred and four to any Person or Persons whomsoever, (with Liberty to sell the said Chapel and other the Buildings as Building Materials,) and either by public Sale or private Contract, and for the Purpose of effectuating any such Sale to convey and assure the same Premises to the Purchaser or Purchasers thereof, and also upon Payment of the Monies to arise from such Sale or Sales to give effectual Discharges for the Purchase Money in manner in the said Act mentioned; and it was by the said Act now in recital further enacted, that the said *John* Lord Bishop of *Limerick*, or the Lord Bishop of *Limerick* for the Time being, should be possessed of the Money to arise from such Sale or Sales as aforesaid, upon Trust, after defraying the Costs and Expences incident to obtaining the said Act now in recital, and also the Expences

3 & 4 W. 4. c. 29. (Pr.)

32 G. 2. (I.)

'attending

'attending the Conveyance of the Chapel, Land, and Premises thereby authorized to be sold, to pay and 'apply the Residue of the said Purchase Money towards the erecting, completing, and finishing the said 'Chapel so intended to be erected and built as aforesaid: And whereas the said Chapel, Ground, and 'Premises were afterwards sold, pursuant to the said Act of Parliament passed in the Third and Fourth 'Years of the Reign of His late Majesty King *William* the Fourth, and the Purchase Monies arising 'from such Sale have been applied towards the Erection of the said Church or Chapel in the said 'recited Act of Parliament mentioned as intended to be built as aforesaid, and which has been in part 'built upon the said Plot or Piece of Ground so conveyed to the Churchwardens of said Parish of *Saint* '*Michael* by the said recited Indenture of the Twenty-fourth *December* One thousand eight hundred and 'thirty-two for that Purpose as aforesaid, but the said Church or Chapel is not yet sufficiently completed 'for the Celebration of Divine Service: And whereas by reason of the great Increase of the new Town 'of the City of *Limerick* within the present Century there is a large Protestant Population in the said 'Parish of *Saint Michael* destitute of sufficient Church Accommodation within the said Parish, and it is 'expedient to provide for the Celebration of Divine Service at a convenient Distance for the Resort of 'the Inhabitants of said Parish, and the said new Church when completed will be convenient for that 'Purpose, and it is expedient, for the Purposes of this Act, to make the said Parish of *Saint Michael* a 'distinct Parish:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Parish of *Saint Michael* shall be deemed and reputed a several and distinct Parish for the Purposes in this Act mentioned, and that the said new Church, now partly erected, shall be deemed the Parish Church of the said Parish of *Saint Michael*, and shall be called "the Church of *Saint Michael*," and shall (subject as herein-after mentioned) be deemed a Perpetual Cure; and that the Perpetual Curate thereof, when duly nominated or licensed, shall be capable of receiving any Endowment or Augmentation from any Person or Persons, Body or Bodies Politic or Corporate, in such Manner as any Curate of any impropriate or appropriate Parish is by the Laws now in being qualified to take the same; and such Curate is hereby declared to be a Body Politic and Corporate, and shall have perpetual Succession by the Name of "the Perpetual Curate of *Saint Michael*'s Church," and made capable to receive any such Endowments or any such Augmentation as may be granted to him or his Successors; and the said Parish of *Saint Michael* shall have all parochial Rights by Law appertaining to any Parish set out or described under the Provisions of an Act passed in the Session of the Parliament of *Ireland* held in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels and those that are already erected Perpetual Cures; and making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and also in like Manner for making appropriate Parishes Perpetual Cures;* saving, nevertheless, to the Archdeacon of *Limerick* and his Successors, Rectors of the said Parish of *Saint Michael*, all his and their now existing Rights, Powers, Jurisdictions, Privileges, Perquisites, Benefits, Charges, Fees, Dues, and Emoluments in respect of the said Church and Parish, or Perpetual Curate, as Rectors or Incumbents thereof, fully and effectually, to all Intents and Purposes, and so as such Perpetual Curate shall not have or exercise any independent Power or Authority, or be entitled to any Privileges, Perquisites, Charges, Fees, Dues, Emoluments, Jurisdictions, or Powers, in said Church or Parish, to the Prejudice of such Rights of the Rector of said Parish as aforesaid, save such as are hereby expressly granted.

Saint Michael's Parish to be a distinct Parish, and the new Church to be the Parish Church thereof, &c.

11 & 12 G.3.(I.)

II. And be it enacted, That all the Grants, Gifts, Conveyances, and Endowments of Lands, Tithes, Rent-charge in lieu of Tithes, Profits, or other Emoluments heretofore made and granted by the late *Edmond Sexton* Viscount *Pery* and by the said *Edmond Henry* Earl of *Limerick*, or either of them, to the Reverend *Pryce Peacock* as Minister of the Chapel of *Saint George*, or granted by them or either of them for the Use of the Minister of such Chapel, or in Trust for him, comprising the unsold Portion of the Plot or Piece of Ground in *Saint George's Street* and the Plot or Piece of Ground in *Mallow Street* in the City of *Limerick*, and also of the Rectorial Tithes or Rent-charge in lieu of Tithes in the Parish of *Ballinlough* in the County of *Limerick*, granted as aforesaid, are hereby granted, conveyed, and confirmed to the said *Pryce Peacock* as first Perpetual Curate of the said Church, and to his Successors for ever, being Perpetual Curates thereof duly nominated under this Act, and shall be deemed and considered Part or Portion of a perpetual Endowment of the said Church for the Maintenance of such Perpetual Curate and his Successors for ever.

All Grants and Endowments heretofore made by Ld. Pery or Ld. Limerick to be continued in Perpetuity for the Use of the Perpetual Curate.

III. And be it enacted, That from and after the passing of this Act the said *Edmond Henry* Earl of *Limerick* and his Heirs shall be and be esteemed in Law to be the true Patron or Patrons of the said Perpetual Curacy of the said new Church of *Saint Michael*, and the sole Right of Presentation or Nomination thereto of such Perpetual Curate, but subject as aforesaid and without Prejudice to the Rights of the Rector therein as aforesaid, shall be for ever hereafter vested in the said *Edmond Henry* Earl of *Limerick* and his Heirs; and that the Reverend *Pryce Peacock* be the first Perpetual Curate thereof from and after the passing of this Act, subject as aforesaid.

Earl of Limerick to be Patron and Rev. Pryce Peacock first Perpetual Curate of St. Michael's Church.

IV. And be it enacted, That the said Perpetual Curacy of *Saint Michael* and the Patronage thereof shall be subject to the same Laws in respect of the Lapse of the Presentation or Nomination thereto, and in respect of the Residence of the Curate thereof, and the Visitation and Jurisdiction of the Bishop of the Diocese, as are in and by an Act passed in the Session of Parliament held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act to amend an Act of His late Majesty King* George

Perpetual Curacy of St. Michael subject to Provisions of 6 & 7 W.4. c. 31.

George *the Second, for the Encouragement of building of Chapels of Ease in* Ireland, enacted and declared of and concerning Cures and Benefices endowed by virtue of the Powers given by the said Act: Provided always, that this Act be not construed so as to discharge the said Archdeacon of *Limerick*, or his Successors, Rectors of the said Parish of *Saint Michael*, from the Cure of Souls or any other parochial Duties in the said Parish and in the said new Church, but such Cure of Souls and parochial Duties in the said Parish and said Church shall remain in him and them as if no such Perpetual Curate was appointed thereto: Provided always, that nothing herein contained shall be deemed or construed to impose on the said *Pryce Peacock*, as the first Perpetual Curate of the said Church under this Act, any Duties other than such as he was liable to as Chaplain or Minister of the said Church called *Saint George*'s Church previous to the passing of this Act, save so far as the Bishops of the Diocese or the Archbishop of the Province may in the lawful Exercise of their Jurisdiction think proper to direct: Provided also, that nothing herein contained shall be deemed or taken to entitle the Perpetual Curate of the said Perpetual Cure of *Saint Michael* to the Payment of any Stipend, Salary, or Maintenance by the Archdeacon of *Limerick* or his Successors, Rectors of said Parish, nor to sever or dissolve in any Manner howsoever the Corps of the said Archdeaconry, further or otherwise than is for the Purposes of this Act enacted and declared; saving and reserving unto the said Reverend *Pryce Peacock*, first Perpetual Curate appointed under this Act as aforesaid, all such Rights, Privileges, and Enjoyments, Profits and Emoluments, as he heretofore enjoyed and now hath or was or is entitled unto as Chaplain or Minister of *Saint George*'s Church as aforesaid, together with all other Rights and Privileges in the said Church of *Saint Michael* which to a Perpetual Curate by Law appertain, any thing in this Act to the contrary notwithstanding.

Free Sittings, to the Extent of One Fourth, to be reserved.

V. And be it enacted, That Pews or Sittings in the said Church, to be marked with the Words "Free Sittings," amounting in the whole to not less than One Fourth Part of the whole of the Sittings in such Church, shall be appropriated and set apart for the Use of poor Persons resorting thereto, and for which Pews or Sittings no Rent or Assessment whatsoever shall be at any Time charged or imposed; and that the Pews or Sittings in the said Church, save and except the Pews or Sittings so to be set apart for the Use of poor Persons, and save and except the Pews set apart or to be set apart for the Use of the Rector, Curate, or officiating Minister of the said Church for the Time being, or for their Families, shall be for ever charged and chargeable in the several and respective yearly Rents or Sums to be set opposite to the Figures or Numbers to be marked upon each of the said Pews or Sittings, as they shall be particularly numbered or set down in the Lists or Schedules to be signed by the Perpetual Curate of the said Church of *Saint Michael* and the Bishop of the Diocese for the Time being.

Recovery of Pew Rents.

VI. And be it enacted, That in case the Rent of any such Pew or Sitting, or any Part thereof, shall happen to be behind and unpaid by the Space of Six Months next after the same shall become due, and Notice in Writing demanding Payment thereof shall have been given to the Owner or Occupier of such Pew or Sitting, then the said Perpetual Curate of the said Church of *Saint Michael* for the Time being may enter upon and hold such Pew or Sitting, and let the same to any other Person or Persons in such Manner as he shall think proper; and it shall be lawful for the said Perpetual Curate for the Time being to recover the said Rent so in arrear by Action of Debt or upon the Case, for the Use and Occupation of such Pew or Seat, to be brought against the Owners or Occupiers thereof in the Name of the said Perpetual Curate for the Time being.

No Interments.

VII. And be it enacted, That it shall not be lawful to use any of the Vaults of the said Church, or any of the Precincts thereof, for the Purposes of Interment.

Ecclesiastical Commissioners may make Payments for completing St. Michael's Church. 3 & 4 W. 4. c. 37.

VIII. 'And whereas by an Act passed in the Session of Parliament held in the Third and Fourth Years 'of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws 'relating to the Temporalities of the Church in* Ireland, it was enacted, amongst other things, that all and every 'the Monies and Funds therein mentioned which should under and by virtue of that Act be at the Disposal 'of the Commissioners under the said Act and their Successors (commonly called the Ecclesiastical Com- 'missioners for *Ireland*), should (save as is therein excepted) be applicable, amongst other Purposes, for 'defraying such Expences of building, rebuilding, enlarging, or repairing any Church or Chapel as had 'been theretofore defrayed by Vestry Assessment in *Ireland:* And whereas the said Ecclesiastical 'Commissioners for *Ireland* undertook and agreed to grant the Sum of One thousand Pounds Sterling in 'aid of the Monies produced by the said Sale of the said Chapel in *George Street*, herein-before mentioned, 'towards the Completion of the said new Church of *Saint Michael*, and the Erection thereof was con- 'tinued by the Contractor therefore on the Faith of the said Undertaking or Agreement so entered into 'by the said Ecclesiastical Commissioners, but Doubts have since been entertained by them whether 'under the said Act of the Third and Fourth Years of King *William* the Fourth the said Ecclesiastical 'Commissioners had Power to enter into such Agreement, or would now be authorized to make a Grant 'pursuant thereto;' be it therefore declared and enacted, That it shall and may be lawful to and for the said Ecclesiastical Commissioners for *Ireland* to pay over to the said Lord Bishop of *Limerick* or his Successors the said Sum of One thousand Pounds so agreed to be granted as herein-before mentioned, to be applied by the said Lord Bishop of *Limerick* or his Successors towards discharging the Expences incurred in the Erection of said Church.

Ecclesiastical Commissioners may grant Lands, &c. as an additional Endowment,

IX. And be it enacted, That from and after the passing of this Act it shall be lawful for the said Ecclesiastical Commissioners for *Ireland* to grant any Lands, Tenements, or Property whatsoever, Real or Personal, vested in him or them, or any Sum of Money out of the Funds vested in the said Commissioners, for the Purchase of any Lands, Tenements, or Hereditaments, as an additional Endowment for the said Parish Church of *Saint Michael*, and also for defraying the Expences of rebuilding, enlarging, or repairing the

&c. of St. Michael's Church.

the same Church; and that the said Ecclesiastical Commissioners may exercise all such Powers and Authorities in favour of the Perpetual Curate of the said Parish Church as they are empowered to do in favour of any Ecclesiastical Incumbent whatsoever by any Law now in being; and that all Laws and Statutes now in force in that Part of the United Kingdom called *Ireland*, for and in relation to the Purchase, procuring, building, and improving any Glebe and Glebe Lands, to be held, provided, and enjoyed by Ecclesiastical Incumbents, shall be and are hereby enacted to extend to the Perpetual Curate for the Time being of the said Church of *Saint Michael*, and the Lands, Houses, and Improvements to belong to and to be made, erected, and procured by the Perpetual Curate thereof for the Time being: Provided always, that nothing herein contained shall extend or be construed to render the said Parish of *Saint Michael*, or any of the Parishioners or Inhabitants thereof, liable to be charged with the Payment of any Sum or Sums of Money under and by virtue of the Provisions of an Act passed in the Parliament of *Ireland* held in the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, intituled *An Act for Provision of Ministers in Cities and Corporate Towns, and making the Church of* Saint Andrew's *in the Suburbs of the City of* Dublin *presentative for ever*, or to any Charge in the Nature of Minister's Money, or to any other Ecclesiastical or Parochial Charge, or to any Payment or Charge whatsoever to which the said Parish or the Parishioners or Inhabitants thereof was not or were not subject before the passing of this Act; nor shall any thing in this Act entitle or authorize said Parish or the Parishioners or Inhabitants thereof to be exempt or discharged from the Payment of any Sum or Sums under said recited or any other Act, or any Charge in the Nature of Minister's Money, or any other Ecclesiastical or Parochial Charge, or any Payment or Charge whatsoever, to which said Parish or the Parishioners or Inhabitants thereof was or were subject or liable before the passing of this Act; and this Act shall not be deemed or taken in any Manner to impose or create any Charge upon the said Parish or Parishioners, or to recognize or evidence the Existence of any such Charge, or to discharge said Parish or Parishioners from any Charge, or to negative or disprove the Existence of any such Charge, but the Rights, Perquisites, Revenues, and Fees, Charges, and Emoluments of the said Archdeacon of *Limerick* and his Successors, Rectors of the said Parish of *Saint Michael*, shall be and continue in as full Force and Effect in respect of said Perpetual Curate and his Successors, and said Parish and the Parishioners and Inhabitants thereof, as if this Act had not been passed, any thing herein contained to the contrary notwithstanding.

17 & 18 C. 2. (I.)

Public Act.

X. And be it enacted, That this Act shall be deemed and taken to be a Public Act.

CAP. LXXXIX.

An Act to amend the Act for the Regulation of Municipal Corporations in *England* and *Wales*.

[24th *August* 1843.]

5 & 6 W. 4. c. 76.

1 Vict. c. 78.

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, Provisions were made for the Election of Corporate Officers in certain Boroughs, and for determining the Times and Manner of such Election; but the Provisions in the said Act have not in all Cases been duly complied with: And whereas by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in* England *and* Wales, it was among other things declared, that after the passing of that Act every Application to the Court of Queen's Bench, for the Purpose of calling upon any Person to show by what Warrant he claims to exercise the Office of Mayor, Alderman, Councillor, or Burgess in any Borough, shall be made before the End of Twelve Calendar Months after the Election, or the Time when the Person against whom such Application shall be directed shall have become disqualified, and not at any subsequent Time: And whereas Doubts have arisen whether, notwithstanding the said last-mentioned Enactment, Applications in the Nature of Quo warranto may not still be successfully made against any Person holding the Office of Mayor, on the Ground that such Mayor was not duly qualified to be so elected Mayor by reason of some Defect or Informality in his previous Election to the Office of Alderman or Councillor, although more than Twelve Calendar Months may have elapsed since such Election to the Office so alleged to have been informal or defective, and likewise against other Corporate Officers upon Grounds of the like Nature: And whereas also in certain Boroughs the Town Councils elected under the said recited Act omitted to appoint as therein directed who of the Aldermen first elected under that Act should go out of Office at the Expiration of the Term therein mentioned: And whereas also in some Boroughs, at the said First Election of Aldermen, after the passing of the said first-recited Act, less than the full Number required by the said Act were elected to such Office by reason of Equality of Votes as to some of the Persons nominated, and at the Second Election of Aldermen, under the Provisions of the said first-recited Act, other Aldermen were elected to supply and make up such Deficiency, but by Inadvertence, and under a Mistake of Law, a greater Number were elected to such Office than ought to have been so elected, and great Inconvenience, Vexation, and Expence have been incurred and sustained by reason of the Premises, insomuch that the Functions of the Corporate Bodies in such Boroughs have been and are in effect suspended; and it is expedient to provide a Remedy for such Mischief: And whereas the said first-recited Act requires further Amendments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Election of any Mayor of any of the Boroughs named in Schedules (A.) and (B.) of

No Election of a Mayor in certain Boroughs to be called in question for

of the said first-recited Act, or in any Borough to which a Charter of Incorporation may have been or may be hereafter granted under the Provisions of that Act and of the secondly recited Act, or either of them, which has already taken place, or shall hereafter take place, shall be liable to be questioned by reason of a Defect in the Title of such Person to the Office of Alderman or Councillor to which he may have been previously elected, unless Application shall have been made to the Court of Queen's Bench, calling upon such Person to show Cause by what Warrant he claims to exercise such Office of Alderman or Councillor, within Twelve Calendar Months after such his Election to the said Office of Alderman or Councillor; and that from and after the passing of this Act every Election heretofore made, or hereafter to be made, to the Office of Mayor, Alderman, Councillor, or any other Corporate Officer, in any of the Boroughs aforesaid, which shall not be or have been called in question by such Application to the Court of Queen's Bench within Twelve Calendar Months from such Election, shall be deemed to have been to all Intents and Purposes a good and valid Election.

Defect of Title unless by Quo warranto within 12 Months from the Election.

Elections of Corporate Officers not called in question to be valid.

II. And be it enacted, That in any and every of the said Boroughs where a greater Number of Persons shall have been elected to and have taken upon themselves the Office of Alderman than is authorized by the said first-recited Act, or in which a greater Number than is authorized by the said first-recited Act shall claim to be Aldermen of the said Borough, the Council of such Borough shall, at the quarterly Meeting to be held on the Ninth Day of *November* next after the passing of this Act, before proceeding to the Election of the Mayor, or to any other Business, declare which of the said Persons so elected or claiming to be Aldermen, to the Number specified by the said first-recited Act, shall be the Aldermen of such Borough, and thereupon the Persons so declared shall be the Aldermen of such Borough, and the Person not included in the Number so declared shall from thence *ipso facto* cease to be Aldermen of the said Borough respectively, or to exercise any of the Functions of such Office.

Provision where a greater Number of Persons shall have been elected or claim to be Aldermen of any Borough than is authorized by 5 & 6 W. 4. c. 76.

III. And be it enacted, That in any and every Borough wherein it shall not have been declared by the Councillors thereof immediately after the First Election of Aldermen in the Year One thousand eight hundred and thirty-five who of the Aldermen so elected should go out of Office in the Year One thousand eight hundred and thirty-eight, and by reason of such Omission the Provisions of the said first-recited Act as to the Retirement and Election of Aldermen cannot be carried into effect, the Councillors of such Borough shall and may, at the said quarterly Meeting of the Council to be held on the Ninth Day of *November* next after the passing of this Act, declare and appoint who shall be the Aldermen who shall go out of Office on the Ninth Day of *November* in the Year One thousand eight hundred and forty-four, and the Persons so named shall be the Persons who shall then go out of Office accordingly.

Provision where no Declaration was made in the Year 1835 as to which of the Aldermen should first go out of Office.

IV. And be it enacted, That no Proceeding commenced before the passing of this Act and still pending in the Court of Queen's Bench against any Person claiming to be Mayor or Alderman of any of the aforesaid Boroughs upon any Ground which before the passing of this Act would have been sufficient to invalidate the Title of such Person, but which after the passing of this Act would not be sufficient for that Purpose, shall after the passing of this Act be further prosecuted: Provided always, that the Prosecutor or Relator shall be entitled to receive from the Defendant in every such Proceeding all such Costs, to be taxed as between Attorney and Client according to the Practice of such Court, as have been *bonâ fide* incurred by such Prosecutor or Relator in such Proceeding before the passing of this Act.

Provision as to Proceedings already commenced.

V. 'And whereas it is expedient to render certain Proceedings, by way of Quo warranto and Mandamus, 'so far as they affect Corporate Offices in Boroughs, more summary and expeditious;' be it therefore enacted, That from and after the passing of this Act, in all Cases of intended Application to the Court of Queen's Bench, either for a Mandamus to proceed to an Election of any Corporate Officer or Officers in any of the aforesaid Boroughs, or for an Information in the Nature of a Quo warranto against any Person claiming to be a Corporate Officer of and in any of the said Boroughs, it shall be lawful for the Party intending to make such Application to give Notice in Writing thereof to the Party to be affected thereby at any Time not less than Ten Days before the Day in the said Notice specified for making such Application, in which Notice shall be set forth the Name and Description of the Party by whom such Application will be made, together with a Statement of the Grounds thereof, and at the same Time to deliver with such Notice a Copy of the Affidavits whereby the Application will be supported; and thereupon it shall be lawful for the said last-mentioned Party to show Cause in the first instance against such Application; and if no sufficient Cause be shown it shall be lawful for the said Court of Queen's Bench, on Proof of the due Service of such Notice and Statement, and of the Delivery of a Copy of such Affidavits as may be used for the Purpose of supporting such Application, to make the Rule for such Mandamus or Information absolute, if the said Court shall so think fit in the first instance, and also, if they shall so think fit, to direct that any Writ of Mandamus thereby ordered to be issued shall be peremptory in the first instance; and also that the Venue in any Information thereby ordered to be filed shall be laid in the County of *Middlesex*, or in the City of *London*, and that the Issue or Issues of Fact thereon, if any, shall be tried at the Sittings at Nisi Prius of the said Court at *Westminster*, or in *London*, by a Jury of the same County or City respectively.

Provision for expediting certain Proceedings by way of Mandamus and Quo warranto.

VI. 'And whereas the Office of Treasurer of and for the aforesaid Boroughs is an Office of great Trust, 'and an annual Appointment to such Office is inconvenient and unnecessary;' be it therefore enacted, That so much of the said herein-before first-recited Act as provides that the Council in every Borough shall in every Year appoint a fit Person to be Treasurer of such Borough shall be and the same is hereby repealed, and that the Council of every Borough shall, on the Ninth Day of *November* next after the passing of this Act, or on the Ninth Day of *November* next after such Borough shall be incorporated, appoint a fit Person, not being a Member of the Council, to be the Treasurer of such Borough, who

Office of the Treasurer not to be subject to annual Election, but to be during the Pleasure of the Council.

shall thenceforth hold his Office during the Pleasure of the Council for the Time being; and on the happening of any Vacancy thereafter, by Death, Resignation, Amotion, or otherwise, the Council shall proceed to the Appointment of a Successor, either at any of the General Quarterly Meetings of the Council, or at a Special Meeting to be convened for that Purpose, so that in no Case such Appointment be delayed beyond Twenty-one Days from the happening of the Vacancy.

Provision for the Appointment of a Deputy Recorder in certain Cases.

VII. 'And whereas Inconvenience has arisen and may hereafter arise by reason that in the said first-'recited Act no Provision is made for the holding of the Borough Sessions at the Time appointed, by 'public Notice for that Purpose, in case of the sudden Illness or unexpected and unavoidable Absence of 'the Recorder, on or immediately before the Day on which the Sessions for any Borough shall have been 'appointed to be held, or during the holding of such Sessions; and it is desirable to provide against such 'Inconvenience;' be it therefore enacted, That so much of the said first-recited Act as provides, "that in case of Sickness or unavoidable Absence the Recorder of any Borough shall be empowered, under his Hand and Seal, with the Consent of the Council of the said Borough, to appoint a Deputy Recorder, being a Barrister of Five Years standing, to act for him at the Quarter Sessions then next ensuing, and no longer or otherwise," be and the same is hereby repealed.

In case of Sickness or Absence the Recorder may appoint a Deputy Recorder.

VIII. And be it enacted, That in case of Sickness or unavoidable Absence the Recorder of any Borough shall be and he is hereby empowered, under his Hand and Seal, to appoint a Deputy Recorder, being a Barrister of Five Years standing, to act for him at the Quarter Sessions then next ensuing or then being held, and not longer or otherwise: Provided nevertheless, that such Sessions shall not be deemed to have been illegally held, nor the Acts of any Deputy Recorder invalidated, by reason of the Cause of the Absence of the Recorder not being deemed to be unavoidable within the Meaning of this Act.

CAP. XC.

An Act for removing Doubts as to the Service of Clerks or Apprentices to Public Notaries, and for amending the Laws regulating the Admission of Public Notaries. [24th *August* 1843.]

41 G. 3. c. 79.

'WHEREAS by an Act passed in the Forty-first Year of the Reign of His late Majesty King *George* 'the Third, intituled *An Act for the better Regulation of Public Notaries in* England, it was 'amongst other things enacted, that from and after the First Day of *August* One thousand eight hundred 'and one no Person should be sworn, admitted, and enrolled as a Public Notary in *England* unless such 'Person should have been bound, by Contract in Writing or by Indenture of Apprenticeship, to serve as 'a Clerk or Apprentice for and during the Space of not less than Seven Years to a Public Notary or 'Person using the Art and Mystery of a Scrivener (according to the Privilege and Custom of the City 'of *London*, such Scrivener being also a Public Notary,) duly sworn, admitted, and enrolled: And 'whereas Doubts have arisen whether a Public Notary, being also an Attorney, Solicitor, or Proctor, can 'have and retain any Person to serve him as a Clerk or Apprentice in his Profession or Business of a 'Public Notary, and also at the same Time in that of an Attorney, Solicitor, or Proctor, and whether 'such Service is in conformity with the Provisions of the said recited Act: And whereas it is expedient 'to remove all such Doubts with regard to Persons who have served or are now serving or may hereafter 'serve as a Clerk or Apprentice in manner aforesaid;' be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act every Person who has been duly admitted, sworn, and enrolled a Public Notary in *England* may take, have, and retain any Clerk or Apprentice to serve him under the Provisions of the said recited Act or of this Act in the proper Business of a Public Notary, or if such Person is also an Attorney or Solicitor in any of the Courts of Law or Equity, or a Proctor in any Ecclesiastical Court in *England* or *Wales*, to serve him at the same Time in the general Business of a Notary as well as that of an Attorney, Solicitor, or Proctor; and that no Person who shall have regularly and duly served any such Public Notary, being also an Attorney, Solicitor, or Proctor, for the Time required by the said recited Act or this Act, and be otherwise entitled to be admitted a Public Notary, shall be prevented or disqualified from being so admitted a Public Notary by reason of his having also served a Clerkship to such Public Notary or his Partner as an Attorney, Solicitor, or Proctor during the same Time or any Part thereof.

Public Notaries may retain Clerks or Apprentices in their Business as such, or as Attorneys and Notaries, if so practising, and Persons serving them not disqualified.

No Public Notary to retain a Clerk or Apprentice, unless in actual Practice.

II. Provided always, and be it enacted, That no Public Notary may have and retain any such Clerk or Apprentice to serve him, under the Provisions of the said Act or of this Act, if he has been admitted, sworn, and enrolled a Public Notary for the Purpose only of carrying on any Business, or holding or exercising any Office or Appointment, and not as a general Practitioner; nor shall any Public Notary be allowed to have and retain such Clerk or Apprentice after he shall have discontinued or left off or during such Time as he shall not actually practise and carry on the Profession or Business of a Public Notary.

Persons serving Five Years to a Notary to be entitled to Admission as Notaries.

III. 'And whereas it is expedient to shorten the Period of the Service required by the said recited 'Act;' be it therefore enacted, That from and after the passing of this Act, in case any Person shall have been or shall be bound by any Contract to serve and shall have actually served as a Clerk or Apprentice for the Term of Five Years any Public Notary as aforesaid, and shall have caused an Affidavit to be made and filed as to the due Execution of such Contract, and shall have complied with the other Provisions of the said recited Act, save as to the Length of Service, then and in such Case every such Person

Person shall be qualified and entitled to be sworn, admitted, and enrolled a Public Notary to practise in *England*, as fully and effectually as any Person having been bound and having served Seven Years as required by the said recited Act would be qualified and entitled to be sworn, admitted, and enrolled a Public Notary under and by virtue of the said recited Act: Provided always, that no Person shall be entitled to be admitted and enrolled a Public Notary at the Expiration of the Term of Five Years, if bound for a longer Time, without the Consent in Writing of the Public Notary, if living, to whom he shall have been so bound, being first obtained, and produced at the Time of his Admission, and filed with the other Papers relating thereto; and provided also, that in case the Affidavit required by the said recited Act as to the Execution of any Contract be not filed within the Time required by the said Act, the same may be filed by the proper Officer after the Expiration thereof, but the Service of such Clerk shall be reckoned to commence and be computed from the Day of filing such Affidavit, unless the Master of the Faculties shall otherwise order; and such Service shall be as effectual, and the Public Notary and Clerk shall be equally bound for and during the Term, reckoning as aforesaid, as if such Term had been originally intended and mentioned in the Contract.

Proviso as to Consent of Notary if bound for a longer Time.

If Affidavit as to Execution of Contract be not filed within Time required, Service how to reckon.

IV. And be it enacted, That the Master of the Faculties for the Time being may make any general Rule or Rules requiring Testimonials, Certificates, or Proofs as to the Character, Integrity, Ability, and Competency of any Person who shall hereafter apply for Admission or Re-admission as a Public Notary to practise either in *England* or in any of Her Majesty's Foreign Territories, Colonies, Settlements, Dominions, Forts, Factories, or Possessions, whether such Person shall have served a Clerkship or not, and from Time to Time alter and vary such Rules as to the Master of the Faculties shall seem meet, and may admit or reject any Person so applying, at his Discretion, any Law, Custom, Usage, or Prescription to the contrary notwithstanding.

Master of the Faculties may require Testimonials of Ability, &c

V. Provided always, and be it enacted, That if the Master of the Faculties shall refuse to grant any Faculty to practise as a Public Notary to any Person without just and reasonable Cause, then the Chancellor of *England* or the Lord Keeper of the Great Seal for the Time being, upon Complaint thereof being made, shall direct the Queen's Writ to the said Master of the Faculties to the Effect and shall proceed thereon according to the Intent and Meaning of the Act of Parliament of the Twenty-fifth Year of the Reign of King *Henry* the Eighth, intituled *An Act concerning Peter-pence and Dispensations*, and in Manner and Form as is therein provided and set forth in case of the Refusal of any Licences, Dispensations, Faculties, Instruments, or other Writings, as fully and effectually, and with the same Powers and Authority, as if the same were here inserted and re-enacted.

Appeal.

25 H. 8. c. 21.

VI. Provided always, and be it enacted, That nothing herein contained nor any Service under this Act shall authorize any Person to be admitted a Public Notary to practise within the Jurisdiction of the incorporated Company of Scriveners of *London*.

Saving Rights of Scriveners Company.

VII. And be it enacted, That from and after the passing of this Act every Person to be admitted and enrolled a Public Notary shall, before a Faculty is granted to him authorizing him to practise as such, in addition to the Oaths of Allegiance and Supremacy, make Oath before the said Master of the Faculties, his Surrogate or other proper Officer, in Substance and to the Effect following:

Oath on Admission of Notary.

'I *A.B.* do swear, That I will faithfully exercise the Office of a Public Notary; I will faithfully make 'Contracts or Instruments for or between any Party or Parties requiring the same, and I will not add 'or diminish any thing without the Knowledge and Consent of such Party or Parties that may alter the 'Substance of the Fact; I will not make or attest any Act, Contract, or Instrument in which I shall 'know there is Violence or Fraud; and in all Things I will act uprightly and justly in the Business of a 'Public Notary, according to the best of my Skill and Ability. So help me GOD.'

And that such Oath shall be received and taken instead of the Oath of Office now in use on the Admission of a Notary Public, which Oath shall from and after the passing of this Act be wholly discontinued: Provided always, that in such Cases where by any Act an Affirmation or Declaration is allowed to be received instead of an Oath, or any Form of Oath or Declaration substituted instead of the Oaths of Allegiance and Supremacy, the said Master of the Faculties, his Surrogate or other proper Officer, is hereby authorized and empowered to receive a Declaration or Affirmation instead of any Oath required by this Act, or such Form of Oath or Declaration instead of the Oaths of Allegiance or Supremacy as by any Act of Parliament is authorized and allowed.

VIII. And be it enacted, That the Master of the Faculties for the Time being, or his Surrogate, shall and he is hereby authorized and empowered to issue Commissions to take any Oaths, Affidavits, Affirmations, or Declarations required by Law to be taken before the Grant of any Faculty, Marriage Licence, or other Instrument issuing from the said Office of Faculties; and that all Oaths, Affidavits, Affirmations, or Declarations taken before the Commissioner so appointed, and the Faculty, Marriage Licence, or other Instrument granted in pursuance thereof, shall be as valid and effectual as if such Oath, Affidavit, Affirmation, or Declaration was taken before the said Master or his Surrogate, any thing in any Act or Law to the contrary thereof notwithstanding.

Oaths, &c. may be taken by Commission.

IX. And be it enacted, That no Person who has been admitted and enrolled a Public Notary shall be liable to be struck off the Rolls for or on account of any Defect in the Articles of Clerkship, or in the Registry thereof, or in his Service under such Articles, or in his Admission and Enrolment, unless the Application for striking him off the Roll be made within Twelve Months from the Time of his Admission and Enrolment; provided that such Articles, Registration, Service, Admission, or Enrolment be without Fraud.

Application to strike a Notary off the Roll for Defect in Articles, &c. to be made within 12 Months.

Persons practising as Notaries not being duly authorized to forfeit 50*l.*

X. And be it enacted, That from and after the passing of this Act, in case any Person shall, in his own Name or in the Name of any other Person, make, do, act, exercise, or execute or perform, any Act, Matter, or Thing whatsoever of or in anywise appertaining or belonging to the Office, Function, or Practice of a Public Notary, for or in expectation of any Gain, Fee, or Reward, without being able to prove, if required, that he is duly authorized so to do, every such Person for every such Offence shall forfeit and pay the Sum of Fifty Pounds, to be sued for and recovered by Action of Debt, Plaint, or Information in any of Her Majesty's Superior Courts of Record at *Westminster*, or if the Cause of Action shall have arisen in any Colony or Place to Her Majesty belonging out of *England*, then in the Supreme Court of Law of such Colony or Place, provided the Action for the Recovery thereof shall be commenced within Twelve Months next after the Fact committed; and that, save so far as they are altered or repealed, or repugnant to the Provisions of this Act, the like Remedies for recovering thereof, and all other the Rules, Directions, Powers, and Provisions contained in the said recited Act, and also in the Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend an Act of the Forty-first Year of His Majesty King* George *the Third, for the better Regulation of Public Notaries in* England, shall and may severally and respectively attach and be in force as fully and effectually as if the said Penalties were imposed, or the said Remedies were given, or the same Powers, Rules, Directions, and Provisions were particularly enacted in or by this Act, or repealed and re-enacted.

Like Forfeitures and Provisions as in former Act, and all the Powers thereof, and of 3 & 4 W. 4. c. 70., not hereby varied, to be in force as if re-enacted.

CAP. XCI.

An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in *Ireland*. [24th *August* 1843.]

WHEREAS it is expedient to consolidate and amend the Laws relating to Loan Societies in *Ireland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Acts herein-after mentioned shall be and the same are hereby repealed, save as herein-after otherwise provided; (that is to say,) an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Laws respecting Charitable Loan Societies in* Ireland; an Act passed in the Tenth Year of the same Reign, intituled *An Act to amend an Act of the Fourth Year of His present Majesty, for the Amendment of the Laws respecting Charitable Loan Societies in* Ireland; an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to Loan Societies in* Ireland; and an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the Amendment of the Laws relating to Loan Societies in* Ireland: Provided always, that nothing in this Act contained shall extend to repeal any of the said recited Acts, so far as they or any of them repeal any former Act or Acts, or so far as respects any Act, Matter, or Thing heretofore done under or by virtue of the said recited Acts; and provided further, that as respects all Societies heretofore established and duly certified under the Authority of the said Acts or any of them, so many and such Parts of the said recited Acts as were in force immediately before the passing of this Act shall remain in full Force and Effect until the Thirty-first Day of *December* next after the passing of this Act, unless the Rules of such Societies respectively shall be certified under this Act previously.

Recited Acts repealed, save as herein-after provided.

4 G. 4. c. 32.

10 G. 4. c. 42.

6 & 7 W. 4. c. 55.

1 & 2 Vict. c. 78.

Loan Fund Board established for the Superintendence of all Loan Societies and Charitable Pawn Offices in Ireland.

II. And be it enacted, That for the general Control and Superintendence of all Charitable Loan Societies and Charitable Pawn or Deposit Offices established or to be established in *Ireland* under the Authority of the said recited Acts or this Act, there shall be a Board in *Dublin*, to be denominated "The Loan Fund Board," which Board shall consist of such Persons as at present constitute the Loan Fund Board established under the Authority of the said recited Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, and of such other Person as shall from Time to Time be appointed a Member of the said Board by the Lord Lieutenant of *Ireland*; and at any Meeting of the said Board, duly convened, Three Members shall be competent to do and execute all Acts which the said Board are hereby enabled to do and execute.

Lord Lieutenant may remove Members, and appoint and remove Secretary, &c.

III. And be it enacted, That it shall and may be lawful for the said Lord Lieutenant of *Ireland*, at his Will and Pleasure, to remove from the said Board any Member thereof; and it shall and may be lawful for the said Lord Lieutenant from Time to Time to appoint a Secretary, Inspector, and such other Clerk, Officer, or Servant as shall be necessary for the Business of the said Board, and to remove such Secretary, Inspector, or other Clerk, Officer, or Servant, as he shall think fit.

The said Board empowered to superintend all Loan Societies, &c. in Ireland.

IV. And be it enacted, That the said Loan Fund Board shall have Power to inquire into the Proceedings of all Loan Societies and Charitable Pawn or Deposit Offices, established or to be established in *Ireland* under the Authority of the said recited Acts or this Act, in order to ascertain whether their Rules have been duly certified and enrolled, and have been and are duly observed and attended to, and whether their Funds are applied to the Purposes for which the same are intended; and may pay to their Secretary, and to any Inspector or other Officers, Clerks, or Servants appointed as aforesaid, such Salaries or other Remuneration or retiring Allowance as the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, may from Time to Time direct, and also pay such further Sum or Sums as may be necessary to defray the incidental Expences which shall be incurred in carrying into execution the Purposes of this Act: Provided always, that such Expenditure

for

for incidental Expences shall not in the whole in any One Year exceed such Sum as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall from Time to Time in that Behalf limit and direct.

Funds appropriated to the Use of the Loan Fund Board to be paid into the Bank of Ireland, to the Credit of Loan Fund Board.

V. And be it enacted, That all Sums of Money payable to the said Loan Fund Board under this Act, or which may at any Time or Times hereafter be appropriated to the Use of the said Loan Fund Board, either by public Grant or private Donations or Bequest, or otherwise, shall be paid into the Hands of the Governor and Company of the Bank of *Ireland*, and shall be placed to an Account in the Books of the said Governor and Company, to be intituled "The Loan Fund Board Account;" and the Receipt of the Cashier of the said Bank for any Sum or Sums of Money paid into the same, and which the said Cashier is hereby required to give, shall be a sufficient Acquittance and Discharge to the Person or Persons by whom the same shall have been so paid.

No Part of the Funds to be paid out, except upon Drafts signed by Three Members of the Board, &c.

VI. And be it enacted, That no Monies shall be paid out of the Funds accruing in the said Account to the Credit of the said Loan Fund Board, except upon Drafts signed by at least Three Members, and countersigned by the Secretary of the said Board for the Time being, and in each of which Drafts shall be specified the Purpose to which the Sum for which the same has been drawn is intended to be applied; and no such Draft shall be signed or countersigned as aforesaid except at the first Meeting held in each Month by the said Board, or at some other Meeting, of which at least Fourteen Days Notice in Writing shall be given to each Member of the Board, in which Notice the Object of such Meeting shall be specially stated.

Board to transmit an annual Report to Parliament.

VII. And be it enacted, That the said Loan Fund Board shall, on or before the Thirty-first Day of *March* in every Year, cause a Report of their own Proceedings, and also of the Proceedings of the several Loan Societies under their Control and Superintendence, during the Year ending on the Thirty-first Day of *December* then next preceding, to be prepared, which Report shall contain an Account of all Monies and Funds which shall have come to the Hands or been placed to the Credit of the said Board, either from public or private Sources, during the Year to which such Report shall relate, and shall specify the particular Sources of Revenue from which such Monies and Funds shall have arisen, and an Account of all and every the Monies expended or lent by the said Board during the said Year, and for what Purposes, and upon what Account respectively, and showing the Balance then standing to the Credit of the said Board, and the Amount of Loans from the said Board outstanding; and such annual Report shall be signed by at least Five Members present at such Board, and countersigned by the Secretary, and be laid before both Houses of Parliament within One Month after the same shall have been prepared, if Parliament shall be then sitting, or within One Month after the Commencement of the then next Session.

Board to sue and be sued in the Name of their Secretary.

VIII. And be it enacted, That all Actions, Suits, and Proceedings whatsoever at Law or in Equity touching or concerning any Loan, Contract, or Agreement, or other Matter or Thing, to be made, done, or entered into by or with the said Loan Fund Board, or which the said Loan Fund Board is by this Act authorized to institute, or by or with the Secretary thereof, in his Capacity as such Secretary, shall and may be instituted, carried on, and defended in the Name of the Secretary of the said Board for the Time being, for or on behalf of the said Board; and all such Actions, Suits, and Proceedings in any Court of Law or Equity, in the Name of such Secretary, shall be as good and effectual to all Intents and Purposes as if such Actions, Suits, and Proceedings had been commenced, prosecuted, carried on, or defended in the Name of the said Board, or any Member or all the Members of the same; and in case such Secretary shall happen to die, or be removed from his Office, whilst any such Action, Suit, or Proceeding shall be depending, then and in such Case such Action, Suit, or Proceeding shall not abate by the Death or Removal of such Secretary, but shall be carried on or defended in the Name of the succeeding Secretary, and shall stand to all Intents and Purposes in the same State and Condition as it was immediately before the Death or Removal of such former Secretary; and it shall and may be lawful for the Secretary of the said Board for the Time being to sue and recover, for the Use of the said Board, upon any Bond or other Security executed or passed to or Contract made with the Secretary of the Board for the Time being, notwithstanding any Change or Changes which may have taken place in the Person by whom the said Office of Secretary may be filled.

Loan Societies and Charitable Pawn Offices may be established, subject to the Regulations provided by this Act.

IX. And be it enacted, That it shall and may be lawful to and for any Number of Persons in *Ireland*, subject to the Restrictions and Regulations herein-after provided, to form themselves into a Society in *Ireland* in any District or Place in which it shall be proved to the Satisfaction of the said Loan Fund Board that such Society is required, and such Society shall and may raise from Time to Time by Loans from the Members of such Society, or from other Persons, at a Rate of Interest not exceeding Five Pounds *per Centum per Annum*, or by Donations, a Stock or Fund for the Purpose of granting Loans to the industrious Classes resident therein, and receiving Repayment of the same by Instalments, with Interest as herein-after provided; and it shall be in like Manner lawful for any Number of Persons in *Ireland*, subject to the Restrictions and Regulations herein-after provided, to form themselves into a Society for the Purpose of establishing or maintaining a Charitable Pawn or Deposit Office or Offices in *Ireland*, at which Money may be lent to the industrious Classes resident therein upon Pledges or Deposits, at such Rate of Interest, not exceeding the Rate of Interest which now is or may be hereafter legally chargeable by Pawnbrokers in *Ireland*, as the said Loan Fund Board may from Time to Time appoint; and it shall and may be lawful for the Members of every such Society from Time to Time to make, subject to the Restrictions herein-after contained, Rules for the better Government and Guidance of the same, and for defining the District, by Townlands or otherwise, within which the Operations of the Society ought to be conducted, and for fixing the Charges for Application Papers, Instalments, Cards, and

Such Societies empowered to make Rules, &c., subject to the Restrictions

herein-after mentioned.

and Duplicates, and for the Imposition of Fines upon the several Persons obtaining Loans from the Funds of any such Society, and the Officers and Members thereof, offending against or violating such Rules, and also from Time to Time to alter and amend such Rules as Occasion shall require, or to annul and repeal the same, and to make new Rules in lieu thereof, so as such Rules shall not be repugnant to the Laws of this Realm, nor to any of the express Provisions or Regulations of this Act.

Three Transcripts of the Rules to be transmitted to the Loan Fund Board, and if approved to be submitted to certifying Barrister.

X. And be it enacted, That Three Transcripts, fairly written or printed on Paper or Parchment, of all Rules, or of any Alteration or Amendment thereof, made in pursuance of this Act, signed by at least Three Members of such Society, shall be transmitted to the said Loan Fund Board for their Consideration; and in case the said Board shall approve of any such Rules, Amendments, or Alterations as shall be so transmitted to them as aforesaid, they shall cause the same to be submitted to such Barrister as shall from Time to Time be appointed by the said Board established under the Authority of this Act (which Barrister the said Board is hereby authorized and required to appoint), for the Purpose of ascertaining whether the said Rules of such Society, or such Alterations or Amendments thereof, as shall be so submitted to him, are in conformity to Law and to the Provisions of this Act.

Rules if disapproved by Loan Fund Board to be void; but Appeal may be made to Lord Lieutenant and Council.

XI. And be it enacted, That in case the said Loan Fund Board shall disapprove of any Rule made by any Loan Society, and submitted to them as aforesaid, or of any Alteration or Amendment of any such Rule, such Rule, or Amendment or Alteration thereof, shall be null and void: Provided always, that in every such Case it shall be lawful for such Society, or for the Persons desiring to form any such intended Society, within One Calendar Month after Notice shall be given to them of such Decision of the said Board as aforesaid, to appeal against such Decision to the Lord Lieutenant of *Ireland* and Her Majesty's Privy Council there, who shall have Power and Authority on such Appeal to approve or disapprove of such Rule, or Amendment or Alteration thereof; and if they shall disapprove thereof, then and in such Case the same shall be null and void to all Intents and Purposes; but if they shall approve thereof, then and in such Case the said Loan Fund Board shall submit the same to such Barrister as aforesaid, for the Purpose aforesaid, in like Manner as herein-before directed in the Case of Rules approved of by such Loan Fund Board.

Barrister to certify if Rules are in conformity to Law, or state in what Parts they are repugnant thereto, &c.

XII. And be it enacted, That the said Barrister to whom any such Rule, Amendment or Alteration thereof, shall be transmitted, shall, if required, advise with the said Loan Fund Board on the Subject of such Rule, and shall give a Certificate that such Rules, Alteration or Amendment, so submitted to him as aforesaid, is in conformity to Law and to the Provisions of this Act, or shall point out in what Part the same are repugnant thereto, and state, in Writing, on what Grounds and for what Reasons they are so repugnant, and how and in what Manner they can be made conformable thereto; and the Fee payable to such Barrister for advising as aforesaid, and perusing the Rules, or Alterations or Amendments of the Rules, of each respective Society, and giving such Certificate as aforesaid, and stating such Grounds or Reasons, or suggesting such Alterations as aforesaid, shall not at One Time exceed the Sum of One Guinea, which, together with the Expence of conveying the Rules to and from the said Loan Fund Board, shall be defrayed by each Society respectively: Provided always, that the said Barrister shall be entitled to no further Fee for or in respect of any Alteration or Amendment of any Rules upon which One Fee has been already paid to the Barrister within the Period of Three Years, or for the Rules of any Societies at present under the Loan Fund Board which it may be necessary to certify within Six Months after the passing of this Act.

When Rules are certified by the Barrister the Secretary to annex to each Transcript a Certificate of Approval.

XIII. And be it enacted, That if the said Rules, or such Alterations or Amendments as aforesaid, shall have been certified by the said Barrister to be in conformity to Law and the Provisions of this Act, the Secretary of the said Loan Fund Board shall thereupon annex to or write upon each of the said Three Transcripts so transmitted as aforesaid a Certificate to the Effect that the said Rules, or such Alterations or Amendments as aforesaid, have been approved by the said Loan Fund Board, or by the Lord Lieutenant, as the Case may be, and duly certified by the Barrister appointed in that Behalf as aforesaid; and one of such Transcripts, when certified by the Secretary of the Loan Fund Board as aforesaid, shall be returned to the Society, and another of such Transcripts so certified as aforesaid shall be retained by the said Secretary for the Use of the said Loan Fund Board, and the other of such Transcripts shall be transmitted by the said Secretary to the Clerk of the Peace of the County wherein such Society shall have been formed or shall be proposed to be formed, and shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his Custody, without Fee or Reward.

Rules when so certified to be in force from the Receipt thereof.

XIV. And be it enacted, That all Rules, and Alterations and Amendments of Rules, which shall be so certified as aforesaid by the Secretary of the said Loan Fund Board, shall, immediately after they have been so certified and transmitted as aforesaid, but not before, be binding on the several Members and Officers of the said Society, and all Persons borrowing Money therefrom, and all other Persons having an Interest therein; and it shall and may be lawful for every Loan Society to commence Operations immediately on receiving the Transcript of their Rules so certified, but not before; and all such Rules, Alterations and Amendments of Rules, shall on Receipt thereof be printed by such Loan Society, and One Copy shall be posted in the Office of the said Society, and One Copy lodged with the Clerk of each Petty Sessions in the District within which the Operations of such Society are to be conducted.

Form of Certificate.

XV. And be it enacted, That the Certificate so to be given by the Secretary of the said Loan Fund Board shall be in the Form Number 1. in the Schedule (A.) to this Act annexed, or to the like Effect;

Certified Rules proved by Production of the Transcript,

and that in any Proceeding which may be had for the Recovery of any Money lent by any Loan Society, or any other Proceeding, Civil or Criminal, or of what Kind or Nature whatsoever, the Production of a Transcript of the Rules of such Society, with such a Certificate as aforesaid written thereon or annexed thereto,

thereto, signed or purporting to be signed by the Secretary of the Loan Fund Board, shall be conclusive Evidence of such Rules, and of the same having been duly approved and certified, and that such Society has been duly established, and is entitled to all the Benefits of this Act, and of all other Acts which shall be then in force relating to Loan Societies in *Ireland*. with Certificate annexed.

XVI. And be it enacted, That it shall and may be lawful for every Loan Society whose Rules shall have been so certified by the Secretary of the said Loan Fund Board, or for any Committee appointed and authorized by such Society in that Behalf, to elect and appoint such Persons into the Offices of Trustee, Manager, Treasurer, Secretary, Clerk, Messenger, or other Officer or Servant, as they shall think proper and necessary, to carry into execution the Purposes of such Society, and from Time to Time to remove such Persons, or any of them, from their respective Offices or Employments, and to elect and appoint others in the Room of those who shall be so removed or who shall by Death or otherwise vacate such Offices or Employments, provided that it shall not be lawful to appoint any Clerk of Petty Sessions to any such Office or Employment; and it shall and may be lawful for such Society or Committee, subject to the Restrictions in this Act mentioned, to appoint the Amount of Salaries or Remuneration to be paid to such Officers or Servants as shall not, under the Provisions herein contained, be prohibited from receiving the same. Loan Societies may appoint Officers and Servants.

XVII. And be it enacted, That it shall not be lawful for any such Society as aforesaid to pay to any Clerk, Officer, or Servant of such Society any Salary or other Allowance, unless the Amount or Maximum thereof shall have been ascertained by the Rules of such Society, nor to incur any Expence, unless such as shall be expressly provided for by the Rules of the Society, or shall be necessary for the due Management thereof according to such Rules; and it shall and may be lawful for the Loan Fund Board constituted under this Act, from Time to Time as often as they shall judge it expedient so to do, to reduce prospectively the Amount of any such Salary or Allowance, and likewise to reduce all and every or any other Expence to be incurred by any such Society in the Management thereof, for House Rent, Stationery, or otherwise; and after such Reduction shall have been notified to such Society it shall not be lawful for them to exceed in their Payments the Amount of the Sums so reduced; and in case the Treasurer or any other Officer or Officers of any Loan Society shall pay or disburse any Sum or Sums of Money contrary to the Provisions of this Act, every Person so offending shall for every such Offence forfeit and pay a Sum of Money equal in Amount to the Sum or Sums so illegally paid or disbursed by him as aforesaid, and in addition thereto a Sum not exceeding Five Pounds, to be recovered as hereinafter mentioned; and in case any such illegal Payment as aforesaid shall have been made to any Clerk or other Officer or Servant of such Loan Society it shall and may be lawful for the said Loan Fund Board, in the Name of their Secretary, to sue for and recover from the Clerk or other Officer or Servant of such Society by whom the same shall have been received the Amount of the Sum or Sums which shall have been so illegally paid, together with Costs of Suit. Societies to ascertain the Amount of the Salaries payable to their Servants, and to limit their Expences; and Loan Fund Board may reduce prospectively the Amount of the Salaries and other Expences of such Societies.

XVIII. And be it enacted, That all Monies, Goods, Chattels, Effects, and Property whatsoever belonging to such Society shall be vested in the Trustee or Trustees of such Society for the Time being, for the Use and Benefit of such Society and the respective Members thereof, their respective Executors and Administrators, according to their respective Claims and Interest, and in case of the Death, Resignation, or Removal of any Trustee or Trustees shall vest in the surviving or succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Assignment or Conveyance whatever, and also shall, for all Purposes of Action or Suit, as well Criminal as Civil, in Law or Equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such Proceeding (where necessary) be stated to be, the Property of the Person or Persons appointed to the Office of Trustee or Trustees of such Society for the Time being, in his or their proper Name or Names, without further Description; and such Person or Persons shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Action, Suit, or Prosecution, Criminal as well as Civil, in Law or Equity, touching or concerning the Property or Right of Claim aforesaid of such Society, and to sue and be sued, plead and be impleaded, in his or their proper Name or Names, as Trustee or Trustees of such Society, without other Description; and no Suit, Action, or Prosecution shall be discontinued or abate by the Death of such Person or Persons or his or their Removal from the Office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in by the succeeding Trustee or Trustees in the proper Name or Names of such Person or Persons commencing the same, any Law, Usage, or Custom to the contrary notwithstanding; and such succeeding Trustee or Trustees shall pay or receive like Costs as if the Action or Suit had been commenced in his or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Society. Property of Loan Societies vested in the Trustees for the Time being.

XIX. And be it enacted, That in case all the Trustees of any Loan Society shall be removed by Death or otherwise from their Trust, and no new Trustee or Trustees shall be appointed in their Place, then and in every such Case, and so often as the same shall happen, all and every the Monies, Goods, Chattels, Effects, and Property whatsoever of the said Society shall vest in the Secretary of the said Loan Fund Board for the Time being, in Trust to apply the same, under the Direction of the said Board, to discharge all outstanding Debts and Demands due by such Society, and to dispose of the Residue of such Property to and for such Purposes in furtherance of the Objects of this Act and in such Manner as the said Loan Fund Board shall direct. On Failure of Trustees of a Society, and in default of Appointment of new Trustees, in whom the Property to vest.

XX. And be it enacted, That it shall not be lawful for any Person, being a Trustee, Treasurer, Honorary Secretary, Director, Member of the Managing Committee of any such Society, or having any Control No Manager or Trustee to receive Remuneration.

Control in the Direction or Management thereof, to receive, directly or indirectly, any Salary or other Remuneration for Attendance or any other Services performed for such Society; and no salaried Clerk or other paid Officer or Servant of such Society shall be a Member of its Committee of Management, or in anywise act or vote in the Direction of its Affairs.

Treasurer and other Officers of Loan Societies to give Security as directed by Loan Fund Board.

XXI. And be it enacted, That every Treasurer or other Officer or Officers, or other Person whatsoever, who is or shall be intrusted with the Receipt or Custody of any Sum or Sums of Money belonging or lent to any Loan Society, and every other Officer or Servant of any Loan Society, shall, when thereunto required by the said Loan Fund Board, become bound, with sufficient Sureties, for the just and faithful Execution of such Office or Trust, and the Performance of the Duties by the Rules of such Society or by this Act imposed upon him, in such Sum or Sums of Money as to the said Board shall seem reasonable and proper, and such Security shall and may be given by Bond or Bonds in the Form Number 5. in Schedule (A.) to this Act annexed, or to the like Effect, to the Secretary of the Loan Fund Board for the Time being; and in case of Forfeiture it shall be lawful for the said Loan Fund Board, or for the Society for whose Security such Bond or Bonds shall have been given, or for the Trustees or Managers thereof, to sue upon such Bond or Bonds in the Name of the Secretary of the said Loan Fund Board for the Time being, and to carry on such Suit at the Costs and Charges of and for the Use of the said Society, fully indemnifying and saving harmless such Secretary of the Loan Fund Board from all Costs and Charges of such Suit or Suits, or in respect thereof; and in case it shall appear to the said Loan Fund Board in any Instance that the Security so found is insufficient, either as regards the Solvency of the Sureties, or the Amount of the Security, or otherwise, then and in every such Case, and from Time to Time so often as the same shall happen, it shall be lawful for the said Loan Fund Board to require that increased or better Security be found; and in case any Society shall refuse or neglect to comply with such Requisition of the said Board within such Period as the said Board shall appoint in that Behalf, it shall be lawful for the said Board to withdraw their Certificate from the said Society, and to proceed with regard to the same in like Manner as the said Board is hereby authorized to proceed with regard to any Society which may have violated the Provisions of this Act.

Loan Fund Board may sue upon existing Securities in the Name of the Clerk of the Peace.

XXII. And be it enacted, That where the Treasurer or other Officer or Officers of any Loan Society now established shall have given Security by any Bond or Bonds to any Clerk of the Peace, under the Authority of the said recited Acts of the Sixth and Seventh Years of the Reign of King *William* the Fourth, and First and Second Years of the Reign of Queen *Victoria*, or either of them, such Clerk of the Peace shall, on being required so to do, transmit such Bond or Bonds to the said Loan Fund Board; and it shall and may be lawful for the said Loan Fund Board, or for any Society for whose Security any such Bond or Bonds shall have been given, or for the Trustees or Managers of any such Society, to sue upon such Bond or Bonds, in case of the Forfeiture thereof, in the Name of such Clerk of the Peace, in like Manner as the Trustees of such Society are by said recited Acts authorized to sue thereon; nevertheless it shall be lawful for the said Loan Fund Board, in such Cases as they may deem expedient, to require that new Securities shall be perfected by a Bond or Bonds to be executed to the Secretary of the said Board in the Manner directed by this Act, and thereupon such new Securities shall be perfected accordingly.

Officers of a Loan Society refusing to account either with the Society or with Loan Fund Board, and pay over Money in their Hands, subject to a Penalty.

XXIII. And be it enacted, That if any Officer, Clerk, or Servant of any Loan Society established or acting under this Act shall refuse or neglect, when thereunto required, to account with such Society, or any Committee thereof, or other Person or Persons who shall be authorized by such Society to require such Account, or with the Secretary or any other duly authorized Officer of the said Loan Fund Board, for any Money or other Property of such Loan Society which shall have been received by him, or shall refuse or neglect, when thereunto required, to pay or deliver to such Society, or to such Person or Persons as shall be authorized by such Society to receive the same, any Money or other Property of such Society which then shall be or ought to be in his Possession or Power, every such Officer, Clerk, or Servant of such Loan Society so offending as aforesaid shall for every such Offence be liable to pay a Sum of Money equal in Amount to the Money or the Value of the Property (if any) so wrongfully detained by him, and in addition thereto a further Sum not exceeding the Sum of Five Pounds, to be recovered in manner hereinafter mentioned.

Amount of Loan not to exceed 10*l*.

XXIV. And be it enacted, That it shall not be lawful to and for any such Society to make any Loan on personal Security to any One Individual at any One Time exceeding in Amount the Sum of Ten Pounds; and that no second or other Loan shall be made to the same Individual, or to any Person on his Behalf or for his Use, until the previous Loan shall have been repaid.

As to Form of Note for securing Repayment of Loan.

XXV. And be it enacted, That every Note or Security to be taken by any Loan Society established under the Provisions of this Act for the Repayment of any Loan granted by any such Society shall be in the Form Number 2. in Schedule (A.) hereunto annexed, or to the like Effect, and blank Forms for such Note shall be supplied by the said Loan Fund Board as herein-after provided; and that no Proceedings shall be had or Order made for the Recovery of any Loan Fines or Interest under this Act, save and except where the Note or Security for such Loan shall be in the Form and on the Paper supplied by the said Board.

No Loan Fund Note or Bond or Security chargeable with Stamp Duty.

XXVI. And be it enacted, That no Note or Security for the Repayment of any Loan made by any Society established or acting under the Provisions of this Act, nor any Receipt or Entry in any Book of Receipt for Money lent or paid, nor any Debenture or Transfer, or Draft or Order, nor any Appointment of any Agent, nor any Bond nor Security, nor other Instrument or Document whatever, required or authorized

authorized to be given, issued, made, or provided in pursuance of the Rules of any such Society or of this Act shall be subject to or chargeable with any Stamp Duty whatsoever.

Rate of Interest payable on Loans.

XXVII. And be it enacted, That it shall and may be lawful to and for the Trustees or Managers of any Society established or acting under the Provisions of this Act to demand and receive from the Person to whom any Loan may be made, at the Time of making the same, or to retain as Discount for the same, the full Amount of Interest up to the Time fixed for Payment of the last Instalment which would be due on the whole Money so advanced, at a Rate not exceeding Four-pence in the Pound for Twenty Weeks, and to receive the Amount of the Principal by Instalments at such Time or Times and in such Proportion or Proportions as the said Trustees or Managers may think fit, and to take a Note or Security for the whole Amount of the Loan, the same to be sued for and recovered immediately on Failure of the Payment of any of the Instalments, without being subject or liable on account thereof to any of the Forfeitures or Penalties imposed by any Act or Acts relating to Usury.

Loan Fund *Board may authorize any Loan Society to advance any* Portion of their Funds.

XXVIII. And be it enacted, That it shall be lawful for the said Loan Fund Board, if they shall see fit, to authorize any Loan Society to advance any Portion of their Funds, such Portion to be limited by the said Board, in Loans not exceeding Ten Pounds, at a Rate of Interest not exceeding One Penny Half-penny *per* Month upon each Pound Sterling so advanced; provided that there be an Interval of not less than Twenty-seven Days between the Time of issuing such Loan and the Payment of the first Instalment, and a similar Period at the least between each other Payment; and such Society shall make a separate Report of such Loans to the said Loan Fund Board.

Trustees to receive Interest on Loans for a limited Time.

XXIX. 'And whereas by the said Act of the Sixth and Seventh Year of His late Majesty King *William* 'the Fourth it was enacted, that it shall be lawful for the Trustees or Managers of any Loan Society 'established under the said Act to demand and receive from any Person to whom any Loan should be made 'a Rate of Interest not exceeding Sixpence in the Pound for Twenty Weeks; and it is inexpedient that 'such Rate of Interest should be suddenly discontinued;' be it enacted, That it shall be lawful for the Trustees or Managers of any Loan Society now established by Law, and acting under this Act, to take and receive from the Person to whom any Loan may be made a Rate of Interest, not exceeding Sixpence in the Pound for Twenty Weeks, upon such Loan, until the Expiration of Three Months from the Thirty-first Day of *December* One thousand eight hundred and forty-three, but not longer, any thing herein contained to the contrary in anywise notwithstanding.

Notes to be made payable to Treasurer or Secretary for the Time being, and Loan recoverable before Justices of Peace.

XXX. And be it enacted, That all Notes and Securities entered into for the Payment of such Loans shall be made payable to the Treasurer or Secretary for the Time being of the said Society; and if the Party or Parties liable to pay the same shall fail in the Payment thereof, or of any of the Instalments as agreed to by the Terms or Conditions of the Loan, according to the Rules of the Society, it shall and may be lawful for any One of Her Majesty's Justices of the Peace having Jurisdiction in the County, Riding, City, Division, or Place where such Party or Parties or any one of them so liable shall or may happen to be or reside, or where the Office of such Society is situated, and such Justice is hereby required, upon Complaint made by or on behalf of such Treasurer or Secretary as aforesaid, to summon the Person or Persons against whom such Complaint shall be made, whether he or they do or do not reside within the Jurisdiction of such Justice, to appear either before himself or the Justices assembled at the Petty Sessions, either of the District in which such Loan Office is situate, or of the District wherein the Party or any of the Parties so summoned reside; and after his, her, or their Appearance, or, in default thereof, upon due Proof upon Oath of such Summons having been duly served or left at the ordinary Residence of such Person, such Justice or Justices shall proceed to hear and determine the said Complaint, and award such Sum to be paid, by the Person or Persons respectively liable to the Payment of any such Note or Security, to such Treasurer or Secretary as aforesaid, as shall appear to such Justice or Justices to be due thereon, provided such Note or Security shall be in the Form and on the Paper issued by the said Loan Fund Board as aforesaid, but not otherwise, and including all such Fines as shall have been incurred under the Rules of such Society in respect of such Note or Security, together with such a Sum for Costs, not exceeding the Sum of Two Shillings, as to such Justice or Justices shall seem meet; and if any Person or Persons shall refuse or neglect to pay or satisfy such Sum of Money as upon such Complaint as aforesaid shall be adjudged, such Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, cause the same to be levied by Distress and Sale of the Goods of the Person or Persons so neglecting or refusing as aforesaid, together with all Costs and Charges attending such Distress and Sale, and returning the Overplus (if any) to the Owner; and no such Proceedings shall be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record.

Summons for Recovery of Loan may be in Form in Schedule, &c.

XXXI. And be it enacted, That the Summons to be issued for the Recovery of any Loan as aforesaid shall be in the Form Number 1. contained in the Schedule (B.) hereunto annexed, or to the like Effect, and shall be prepared and provided by the Treasurer, Clerk, or other Officer of such Loan Society; and in case the same shall be made returnable at Petty Sessions the Clerk of such Petty Sessions shall enter such Summons in the Petty Sessions Book, and shall call on the same in its proper Turn to be heard and disposed of, for which he shall be entitled to receive a Fee of Three-pence, and no more, to be paid out of the Costs awarded; and if Judgment shall be given upon such Summons in favour of the Plaintiff the Warrant to be issued for the Levy of any Sum of Money which shall by any Justice or Justices be adjudged to be paid as aforesaid shall be in the Form Number 2. contained in the Schedule (B.) hereunto annexed, or to the like Effect, and for which a Fee of Sixpence, and no more, shall be charged by the Clerk of the Petty Sessions, or any other Person whatever.

Warrant for Recovery of Loan may be in Form given in Schedule.

Goods seized under Levy Warrant may be sold by Bailiff without a licensed Auctioneer.

XXXII. And be it enacted, That it shall and may be lawful for the Constable, Bailiff, or any other Person or Persons who may be charged with the Execution of any Warrant under the Authority of this Act, to sell or cause to be sold the Goods seized under such Warrant, without employing a licensed Auctioneer to conduct or effect such Sale, and no such Goods so sold shall be subject to any Auction Duty.

Treasurer of any Loan Society may sue on Securities granted to his Predecessor.

XXXIII. And be it enacted, That it shall and may be lawful for the Treasurer or Secretary for the Time being of any Loan Society established under this Act to sue for and recover, for the Use of such Society, the Amount of any Note or other Security which shall have been passed or made payable to the Treasurer or Secretary for the Time being of such Society, notwithstanding any Change or Changes which may have taken place in the Person by whom the said Office of Treasurer or Secretary may be filled.

Notes of a Loan Society attested by a Clerk may on his Dismissal be proved by Evidence of his Handwriting, as upon his Death.

XXXIV. And be it enacted, That in every Case in which the Execution of any Note or other Security issued by any Loan Society shall be attested by any Clerk or other Officer or Servant of such Loan Society and such Clerk or other Officer or Servant shall afterwards be dismissed or cease to be employed by such Loan Society, or in case of the Dissolution of such Society, or of the winding up of its Affairs under the Authority of the Loan Fund Board, as herein-after mentioned, then and in every such Case the Handwriting of such attesting Witness may be proved in like Manner to all Intents and Purposes as the same might be proved in case such attesting Witness were dead, and such Proof shall have the like Force and Effect as if he were dead.

Loan Societies may issue Debentures transferable by Endorsement in Presence of Two Witnesses, and registered in Books of Society.

XXXV. And be it enacted, That it shall and may be lawful for every such Society established or acting under this Act, which shall be desirous of raising Funds for the Purposes of such Society or of increasing the Funds of such Society, to issue Debentures in a Form and on Paper or Parchment to be supplied by the said Loan Fund Board, and the Debentures issued under former Acts, or which may be issued under this Act, shall be transferable in the Manner herein-after mentioned, and not otherwise; (that is to say,) by Endorsement upon the said Debenture, to be executed by the Person or Persons entitled to the Sum thereby secured, in the Presence of Two credible subscribing Witnesses, at the Office of such Loan Society, and to be registered in the Books of the Loan Society by whom such Debenture shall be payable; and after such Endorsement shall have been so executed and registered as aforesaid, but not before, the Person or Persons to whom such Transfer shall be made shall thereupon stand possessed of and be entitled to the Amount of such Debenture, and of all Interest, Benefit, Claims, and Demands whatsoever due or to grow due thereon, as fully as if he or they had been the Party who had originally advanced the Sum secured by the said Debenture; and every Transfer of such Debenture shall be in the Form Number 4. in Schedule (A.) to this Act annexed, or to the like Effect; and after the Thirty-first Day of *December* after the passing of this Act no Debenture shall be issued for a less Sum than Twenty Pounds, unless it be in lieu of one previously issued.

Trustees, &c. signing the Debentures not personally liable unless by Agreement.

XXXVI. And be it enacted, That no Treasurer, Trustee, or other Officer of any Loan Fund Society subscribing a Debenture shall be individually responsible in Person or Property for the Payment of the same, or of any Interest thereon, but such Debenture shall be a Charge on the Capital and Property of the Society alone, unless such Treasurer, Trustee, or other Officer shall in the Instrument, or by Writing at the Foot or on the Back thereof, declare his or their Willingness to be liable in Person or Property for the specific Sums so guaranteed.

Sums under 50*l.* deposited in any Loan Society payable without Administration to the next of Kin of deceased Debenture Holder.

XXXVII. And be it enacted, That in case any Debenture Holder or other Claimant entitled to receive any Sum not exceeding Fifty Pounds out of the Funds of any such Loan Society shall die, it shall be lawful for the said Society, or the Trustees thereof, and they are hereby authorized and permitted, from and after the Expiration of Three Calendar Months after the Death of such Debenture Holder or other Claimant so entitled, if they shall be satisfied that no Will was made and left by such deceased Person, and that no Letters of Administration have been or will be taken out of the Goods, Chattels, Rights, and Credits of such deceased Person, to pay the same to any Person or Persons who shall appear to the said Society, or such Trustees as aforesaid, to be the Persons, or one of the Persons, entitled under the Statute of Distribution to the Effects of the deceased Intestate, although no Letters of Administration shall have been taken out; and the Payment of any such Sum or Sums of Money shall be valid and effectual with respect to any Demand of any other Person as next of Kin of such deceased Intestate, or as the lawful Representative or Representatives of such Person, against the Funds of such Society, or against the Trustees, Treasurer, or Officers thereof; but nevertheless such next of Kin or Representatives shall have Remedy for such Money so paid as aforesaid against the Person or Persons who shall have received the same.

Business of a Loan Society not to be transacted at a Public House, &c.

XXXVIII. And be it enacted, That the Business of any Loan Society in *Ireland* established or acting under this Act shall not, on any Account or Pretence whatever, be conducted, carried on, or transacted at any Hotel, Tavern, Public House, Beer Shop, or House of Entertainment, or in any Building occupied therewith, or situate within the Curtilage thereof; and any Trustee, Manager, Officer, Clerk, or Servant of any such Society who shall offend herein shall for every such Offence forfeit a Sum not exceeding the Sum of Ten Pounds, to be recovered in the Manner herein-after provided.

Accounts of Loan Societies to be kept in manner directed by Loan Fund Board; and all

XXXIX. And be it enacted, That the Books and Accounts of all Loan Societies in *Ireland* shall be kept in such Manner and Form as shall be directed or approved by the said Loan Fund Board; and every Loan Society in *Ireland*, and the respective Officers and Servants thereof, shall from Time to Time, and so often as they shall be thereunto required by the said Loan Fund Board, produce to the Secretary, Inspector, or other Person authorized by the said Board in that Behalf, for his Inspection and Examination,

all

all and every the Books, Accounts, Vouchers, Papers, and Documents whatsoever of such Loan Society; and in case any Officer or Servant of any Loan Society shall, after Demand made, refuse or neglect to produce to such Secretary, or other authorized Officer of the said Loan Fund Board, all or any of the Books, Accounts, Vouchers, Papers, and Documents of such Loan Society, which shall be in his Possession, Custody, or Power, or shall not duly account for the Books, Accounts, Vouchers, Papers, or Documents of such Loan Society which may have been in his Possession, Custody, or Power, every Person so refusing or neglecting shall for every such Offence forfeit and pay a Sum not exceeding the Sum of Five Pounds, to be recovered in the Manner herein-after provided.

their Books, &c. to be produced for Inspection to Officer of Loan Fund Board, upon demand, under a Penalty of 5*l*.

XL. And be it enacted, That the Trustees and Managers of every Society established or acting under the Provisions of this Act shall cause an Abstract of the Accounts of such Society for each Year to be made out, up to and ending with the Thirty-first Day of *December*, together with a Statement of the Funds and Effects and Property of every Kind, and of the Debts and Liabilities of such Society, and of the clear net Profit and Appropriation thereof, and of the Loss (if any) for the Year then ended, which Abstract and Statement shall be in such Forms, and shall contain such Particulars connected with the Accounts and Transactions of such Society, as the said Loan Fund Board shall from Time to Time direct; and a Copy of such Abstract and Statement, duly certified to be correct by the Secretary, Treasurer, and at least One Trustee, shall, some Time in the Month of *January* in each Year, be transmitted to the said Loan Fund Board: Provided always, that it shall be lawful for the said Loan Fund Board, at their Discretion, to require half-yearly, or quarterly, or monthly Accounts from any such Society as aforesaid, and thereupon such Accounts shall be transmitted to the said Board by such Society accordingly.

Abstract of Accounts to be made out yearly, and sent to Loan Fund Board.

XLI. And be it enacted, That in case the Trustees or Managers of any Loan Society shall be desirous of dissolving such Society, or of bringing its Operations to a Close, and shall enter into any Resolution for that Purpose, the Clerk of such Society shall without Delay transmit a Notice in Writing of such Resolution to the Secretary of the said Loan Fund Board Three Calendar Months at least before the Period appointed for the Dissolution of such Society, or the Close of their Operations; and in case the Trustees or Managers of any Loan Society shall enter into any Resolution or Agreement or issue any Notice with the View or for the Purpose of effecting their Dissolution or bringing their Operations to a Close, without notifying the same within Ten Days to the said Loan Fund Board, or shall fix by such Resolution, Agreement, or Notice any Period sooner than Three Months from the Time of such Notification for the Dissolution of such Society or the Close of their Operations, then and in every such Case all and every the Capital Stock, Funds, and Securities, and Property whatsoever, of or belonging to such Society or the Trustees thereof, shall vest in the Secretary of the said Loan Fund Board for the Time being, and be disposed of, under the Direction of the said Board, in like Manner as herein-after provided with respect to a Society that shall be found to have violated their Rules or the Provisions of this Act.

Loan Society intending to dissolve itself shall give Three Months Notice of their Intention to Loan Fund Board.

XLII. And be it enacted, That it shall not be lawful for any Treasurer, Trustee, Member of the Managing Committee, or other Officer exercising Control in the Direction or Management of the Affairs of any Loan Society, unless upon the special Leave of the said Loan Fund Board, voluntarily to resign or withdraw from such Office or Trust, without having given at least Three Calendar Months Notice in Writing of his Intention in that Behalf to such Loan Society, and also to the said Loan Fund Board; and that a Copy of such Notice be posted in a conspicuous Part of the Office of such Loan Society.

No Trustee, &c. to resign without having given Three Months Notice thereof.

XLIII. And be it enacted, That no Clerk, Officer, or Servant of any Loan Society in *Ireland* shall directly or indirectly have, receive, or take any Bonus, Gratuity, or Present, either in Money, Goods, or Labour, or otherwise howsoever, from any Borrower from such Loan Society, or from any Surety; and in case any such Clerk, Officer, or Servant shall offend herein, or shall in any way connive at or knowingly be Party to any Fraud, he shall for every such Offence forfeit and pay a Penalty not exceeding the Sum of Twenty Pounds, to be recovered as herein-after mentioned.

Penalty on Clerk or Servant receiving any Present from a Borrower or Surety,

XLIV. And be it enacted, That it shall and may be lawful for every such Loan Society as aforesaid, or for such Person or Persons as shall have been duly authorized in that Behalf by the Rules of such Society, and they are hereby required, annually to reserve a Sum, not less than One Tenth of their clear net Profits over and above all Losses, to form a Fund for the Security of the Debenture Holders, and, subject thereto, it shall be lawful for them to appropriate from Time to Time such Portion of the Residue thereof as they shall think proper to the Support of any Dispensary, Hospital, or Infirmary in the District or County in which such Society shall be established, or for such other charitable or useful local Purpose as they, with the Approbation of the said Loan Fund Board, shall think fit; and as well the said reserved Fund, as the Residue or the whole of such net Profits, if no Part shall be so appropriated, shall be employed as Part of the Funds of such Society, until such Society, with the Approbation of the said Loan Fund Board, shall otherwise determine; provided that no Part of such net Profits as aforesaid shall be appropriated in any way for the Advantage or Benefit of any Member of the Society, or of the Persons managing or conducting the same, or for any Purpose whatsoever, except as herein-before provided; and provided also, that in case any such Society shall have been dissolved, or otherwise deprived of the Benefit of this Act, the whole of the clear net Profits not previously appropriated, after Payment of all Debts of or Claims on such Society, shall be appropriated to such Dispensary, Hospital, or Infirmary, or to such other charitable or useful local Purpose as the said Loan Fund Board shall think proper.

Profits of Loan Societies may be applied to such charitable Purposes as said Societies, with Approbation of Loan Fund Board, shall appoint.

XLV. And be it enacted, That in case it shall appear to the said Loan Fund Board, after due Investigation, that any such Loan Society as aforesaid has not adhered to its Rules, or has applied any of its

Loan Societies violating their Rules, or the

Provisions of this Act, may be dissolved by Order of Loan Fund Board, subject to Appeal to Lord Lieutenant in Council.

Profits or Funds, or done any Matter or Thing, contrary to the Provisions of this Act, it shall be lawful for the said Loan Fund Board to withdraw from such Loan Society the Certificate so issued to them as aforesaid, and to order and direct that such Society shall discontinue its Operations, and shall be dissolved; and the said Loan Fund Board shall cause such their Order to be published in the *Dublin Gazette*, and also in some Newspaper circulating in the County or Place in which the Office of such Loan Society is situate, and shall also notify such their Order to such Loan Society, and also to the Clerk of the Peace with whom the Rules of such Loan Society shall be filed; and from and after the Expiration of Six Calendar Months from the first Publication of such Order in the *Dublin Gazette*, or the Expiration of such extended Time as the said Loan Fund Board shall allow and appoint in that Behalf (and which the said Board is hereby authorized to allow and appoint), such Loan Society shall be dissolved, unless the Order of the said Board shall be reversed upon Appeal, as herein-after mentioned; and upon the Dissolution of such Society all and every the Property, Monies, Securities, Goods, Chattels, and Effects which such Society, or any Person or Persons in Trust for them, shall be seised or possessed of or entitled to at the Time of such Dissolution, shall immediately vest in the Secretary of the said Loan Fund Board for the Time being, to be applied, under the Directions of the said Board, to the Payment of all the outstanding Debts and Liabilities of the said Society, and the Residue (if any) to be applied to such Purposes as are herein-after in that Behalf mentioned; and the said Loan Fund Board may, if they shall so think fit, after notifying such their Decision to the said Society, cause the Affairs of such Society to be wound up, and for that Purpose appoint a fit and proper Person to call in and receive all outstanding Debts and Demands due or payable to or on account of such Society, and to institute and carry on, either in his own Name or in the Name of the Secretary of the said Loan Fund Board, or of the Treasurer, Trustees, or other Officer or Officers of such Society, the necessary Proceedings for that Purpose; and such Person shall have all the Powers vested in the said Treasurer, Trustees, or other Officer or Officers of such Society, under their Rules or this Act, or otherwise; and after the Appointment of such Receiver as aforesaid it shall not be lawful for such Society, or the Treasurer, Trustees, or any other Officer or Officers thereof, unless authorized in that Behalf by such Receiver, to receive, sue for, or recover any Loan, Debt, or Demand due or payable to or for the Use of such Society; and in case after the Appointment of such Receiver any Treasurer, Clerk, or other Officer or Servant of such Society, or other Person whatsoever, by the Order or for the Use of such Society, shall demand, receive, or sue for any Loan, Debt, or Demand on account of such Society, unless authorized as aforesaid, every Person so offending shall for every such Offence forfeit and pay a Sum equal to the Sum so demanded, received, or sued for, and in addition thereto a Sum not exceeding Ten Pounds, to be recovered as herein-after mentioned; and immediately upon the Appointment of such Receiver as aforesaid all and every the Trustees, Treasurer, Clerk, and other Officers and Servants whatsoever of such Loan Society, shall deliver to such Receiver, or to such Person or Persons as he shall appoint, all and every the Books, Accounts, Securities, Vouchers, Papers, Documents, Monies, Goods, Chattels, and Effects whatsoever of or belonging to such Society, in their respective Possession, Custody, or Power; and if they or any of them, or any other Person or Persons whatsoever, having in his or their Possession, Custody, or Power any such Books or other of the Premises aforesaid of or belonging to such Society, shall refuse or neglect to deliver the same or any of them, on Demand, to such Receiver or Person or Persons appointed by him in that Behalf, every Person so neglecting or refusing shall for every such Offence forfeit and pay a Sum not exceeding the Sum of Ten Pounds, to be recovered in manner herein-after mentioned; and it shall and may be lawful for any Justice of the Peace to issue a Warrant authorizing the Seizure of all and every such Books and other the Premises aforesaid of or belonging to such Loan Society, and the Delivery of the same to the Receiver so appointed by the said Loan Fund Board, or such Person or Persons as he shall direct, and such Warrant shall and may be executed according to the Tenor and Effect thereof; and it shall and may be lawful for the said Loan Fund Board, after paying all lawful Debts and Demands of such Society, and all necessary Expences incurred in winding up the Affairs thereof as aforesaid, to appropriate the surplus Effects and Property (if any) of such Loan Society which may remain to the Establishment of any other Loan Society or Societies, or to increase the Capital of any existing Loan Society or Societies, in the same District or County, or to such Dispensary, Hospital, Infirmary, or other charitable or useful local Purpose as the said Board shall think proper: Provided always, that it shall be lawful for any such Society, within One Calendar Month after Notice shall be given of any such Decision as aforesaid to such Society, to appeal against such Decision to the Lord Lieutenant of *Ireland* and the Privy Council thereof, whose Judgment in the Premises shall be final and conclusive; and provided further, that no Steps shall be taken towards winding up the Affairs of any such Society until the Expiration of One Calendar Month from the Date of such Notice, nor, if any Appeal shall be lodged within that Time, until Judgment shall be given on such Appeal against the Appellants; and provided further, that no such Appeal shall be entertained unless Notice in Writing of such Appeal shall have been transmitted to the Secretary of the said Loan Fund Board within One Calendar Month after the Decision of the said Board from which such Appeal is made shall have been notified to the Society preferring such Appeal; provided also, that no further Loans shall be issued by such Society until Judgment upon such Appeal be pronounced.

Forms of Debentures to be printed and Paper to be marked.

XLVI. And be it enacted, That the said Loan Fund Board shall cause a sufficient Number of Forms of Notes and Debentures to be printed according to the respective Forms numbered 2. and 3. in the Schedule (A.) to this Act annexed, and shall cause such Forms to be printed in such Manner, or with such Device, Cypher, Letters, or Numbers, as the said Loan Fund Board shall from Time to Time think proper or necessary to denote and authenticate the same, and shall from Time to Time transmit or deliver, on Payment

ment of Costs of Carriage, such Number of the said Forms as shall be required of them to each Loan Society established under this Act, upon Payment for every Form of such Note so supplied by them of the Sum of One Penny, and upon Payment for every Form of such Debenture of the Sum of One Shilling, and all Sums received for such Forms shall be carried to and made Part of the Funds of such Loan Fund Board in the Bank of *Ireland*.

Irish Reproductive Loan Fund Institution to be exempt from the Control of the Loan Fund Board.

XLVII. And be it enacted, That nothing in this Act contained shall extend or be construed or taken to authorize any Interference on the Part of the said Loan Fund Board, or the Secretary or Officers thereof, in the Affairs of the *London* Charitable Association, commonly called "The *Irish* Reproductive Loan Fund Institution," or of any Trustees or Agents thereof, or of any Institution or Society in *Ireland* which is or shall be established in connexion with the said *Irish* Reproductive Loan Fund Institution, or to make the said Institution, or any Trustee or Agent thereof, or any Institution or Society in *Ireland* now or to be hereafter established in connexion therewith, in any Manner accountable to the said Loan Fund Board, or to compel previous Notice of the intended Retirement of any Trustee, Agent, Treasurer, Member of Committee, or other Officer of the said Institution, or of any such other Institution or Society in connexion therewith, or of the intended Dissolution of any such last-mentioned Institution or Society, to be given to the said Loan Fund Board; and that it shall not be necessary for the said Institution, or any such other Institution or Society in *Ireland* which is or shall be established in connexion therewith, or for the Rules or Fines of the said Institutions, or any such other Institution or Society which is or shall be established in connexion therewith, to be approved or certified by the said Loan Fund Board, or by the Secretary thereof, or for any Officer, Treasurer, Trustee, or Agent of the said Institution, or of any such other Institution or Society in connexion therewith, to give any Security to the said Loan Fund Board, any thing herein contained to the contrary hereof notwithstanding; but that the said Institution, and the Trustees and Agents thereof, and every Institution or Society in *Ireland* now or hereafter to be established in connexion therewith, shall be wholly free and exempt from the Control and Interference of the said Loan Fund Board, and shall not be required to take any Paper of Forms from the said Loan Fund Board in order to relieve themselves from the Stamp Duties or to recover any Money or Instalments due.

Societies in connexion with the Irish Reproductive Loan Fund Institution to have all the Benefits of this Act, on giving Notice to the Loan Fund Board.

XLVIII. And be it enacted, That the Trustees and Agents in *Ireland* of the said *Irish* Reproductive Loan Fund Institution, and every Institution or Society of Persons which now is or hereafter shall be instituted or associated together in *Ireland*, by or in connexion with the said *Irish* Reproductive Loan Fund Institution, for the Purpose of making charitable Loans of Money, or for providing, by way of Loan, Implements of Labour, Seeds, or raw Materials for Manufacture of Goods to be used or employed in any Trade, shall and may have, exercise, use, and enjoy all the Powers and Authorities, Rights and Remedies, in this Act contained, in respect to the lending out, recovering, and investing Monies, and otherwise in relation to their Affairs: Provided always, that the said *Irish* Reproductive Loan Fund Institution shall, within Six Calendar Months after the passing of this Act, or in the Case of Trustees and Agents to be hereafter appointed, and of Societies to be hereafter established, within Three Calendar Months after the Appointment or Establishment thereof, send, under the Hand and Seal of their Chairman, countersigned by the Secretary or Manager, to the Secretary of the Loan Fund Board in *Dublin*, a written List, Description, or Specification of all Trustees and Agents of the said Society authorized to act in relation to the Affairs of the said Institution in *Ireland*, and of all such Loan Societies or Institutions as now are or may hereafter be established in *Ireland* by or in connexion with the said *Irish* Reproductive Loan Fund Institution.

Certificate to be Evidence of Connexion with Irish Reproductive Loan Fund Institution.

XLIX. And be it enacted, That the Production of a Certificate under the Hand and Seal of the Chairman, and countersigned by the Secretary or Manager of the said *Irish* Reproductive Loan Fund Institution, certifying that any Person or Persons is or are Trustees or Agents of the said Institution, and authorized to act in relation to their Affairs in *Ireland*, or that any Society or Institution has been established in connexion with the said *Irish* Reproductive Loan Fund Institution, shall be Evidence before all Judges and Justices, and in all Courts, of the Fact therein certified, without further Proof thereof, and it shall not be necessary to prove the signing or sealing of such Certificate.

Restricting Powers of said Institution and its Connexions as to borrowing, &c.

L. And be it enacted, That it shall not be lawful for any Trustee or Agent of the said *Irish* Reproductive Loan Fund Institution, or for any Society claiming Exemption in consequence of their Connexion therewith, to take or hold upon Debentures or other Securities, or to lend out, under the Provisions of this Act, any Monies, Implements, Goods, or Effects, other than the Monies, Implements, Goods, and Effects of the said *Irish* Reproductive Loan Fund Institution.

Societies in connexion with the Institution not entitled to Benefit of this Act in certain Cases, and Notice to be given of Discontinuance of Connexion.

LI. And be it enacted, That no Trustee or Agent of the said Institution, nor any Society in connexion therewith, shall be entitled to the Benefit of this Act which shall not at the Time of claiming such Benefit be actually in connexion with the said *Irish* Reproductive Loan Fund Institution, or which shall take or hold any Monies, Implements, Goods, or Effects, other than the Monies, Implements, Goods, and Effects of the said *Irish* Reproductive Loan Fund Institution: Provided also, that if by any Means any such Connexion which shall or may at any Time hereafter subsist between the said *Irish* Reproductive Loan Fund Institution and any Loan Society or Institution in *Ireland* shall be determined or dissolved, then and so often as the same shall happen the said *Irish* Reproductive Loan Fund Institution shall, with all reasonable Speed after such Determination or Dissolution, send a written Notice thereof, under the Hand and Seal of the Chairman, countersigned by the Secretary or Manager, to the Secretary of the said Loan Fund Board in *Dublin*.

LII. And

Irish Reproductive Loan Fund Institution to report yearly to Parliament.

LII. And be it enacted, That the said *Irish* Reproductive Loan Fund Institution shall, on or before the Thirty-first Day of *March* in every Year, cause a Report of their own Proceedings, and also an Abstract of the Proceedings, as required for Societies certified under this Act, of the several Loan Societies under their Control and Superintendence, during the Year ending the Thirty-first Day of *December* next preceding, to be prepared, which Report shall contain an Account of all Monies and Funds which shall have come to the Hands or been placed to the Credit of the said Institution, and of the Loan Societies connected therewith, and of the particular Sources from which derived, and of all and every the Monies expended or lent during the said Year, and for what Purposes and upon what Account respectively, and showing the Balance then standing to the Credit of the said Institution; and such Report shall be signed by the Chairman and Secretary of the said *Irish* Reproductive Loan Fund Institution, and laid before both Houses of Parliament within One Month after the same shall have been prepared, if Parliament shall be then sitting, or within One Month after the Commencement of the then next Session.

Societies not certified under this Act, &c. their Members and Officers prohibited from acting, under a Penalty of 20*l*.

LIII. And be it enacted, That if after the passing of this Act any Person or Persons, not being a Society the Rules whereof shall have been duly certified pursuant to the Provisions of the said recited Acts or this Act, or any Society established under the said Acts or this Act from which the Certificate shall have been withdrawn by the said Loan Fund Board in exercise of the Powers hereby vested in them in that Behalf, shall, under the false Pretence of being a Society so established and authorized, raise Money by Debentures, or issue any Loan, or impose any Fine, or use any other of the Advantages and Privileges of a Loan Society duly established as aforesaid, or if the Managers, Trustees, or Officers of any Society claiming Exemption from the Inspection and Control of the said Loan Fund Board in consequence of their Connexion with the said *Irish* Reproductive Loan Fund Institution, shall at any Time raise, take up, hold, or lend out under the Provisions of this Act any Monies, Goods, or Effects other than those of the said *Irish* Reproductive Loan Fund Institution, then and in every such Case every such Person or Member of such Society, and every Officer, Clerk, and Agent thereof, and every other Person who shall aid or assist therein, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, to be recovered as herein-after mentioned.

Monts de Piété to be deemed Loan Societies within this Act, and to cause their Rules to be certified, and entitled to Benefits of 5 & 6 Vict. c. 75.

LIV. And be it enacted, That all Societies now or hereafter to be formed for the Purpose of establishing, supporting, or conducting Monts de Piété or Charitable Pawn or Deposit Offices, at which Money may be lent to the industrious Poor upon Pledge in *Ireland*, shall be deemed Loan Societies within the Meaning of this Act; and all and every the Powers and Authorities hereby vested in the said Loan Fund Board for the Purpose of superintending and controlling Loan Societies in *Ireland*, and for enforcing the due Observance of their Rules, and the Provisions of this Act, shall extend to and shall and may be exercised in respect of all such Charitable Pawn or Deposit Offices, and the Societies or Persons by whom they have been or may be established, and the Trustees, Conductors, Managers, Officers, Clerks, and Servants thereof respectively; and the Rules framed for the Management of all such Institutions shall be certified by the Secretary of the Loan Fund Board, within the same Period, and under Pain of the same Disqualifications and Penalties, as are herein provided with respect to the Loan Societies; and all and every other the Clauses and Enactments herein contained, so far as the said Loan Fund Board, having due Regard to the legitimate Objects of such Charitable Pawn or Deposit Offices, shall deem it expedient to apply them, shall extend and be deemed and construed to extend to such Charitable Pawn or Deposit Offices as aforesaid, and to all Persons interested therein; and that all such Societies formed for the Purpose of establishing, supporting, or conducting such Charitable Pawn or Deposit Offices, the Rules whereof shall be duly certified under the Provisions of this Act, shall be entitled to all and every the Benefits, Privileges, Exemptions, and Advantages which by an Act passed in the last Session of Parliament, intituled *An Act to remove Doubts touching the Law relating to Charitable Pawn or Deposit Offices in* Ireland, are conferred upon or declared to belong to such Institutions or Societies established for the Purpose aforesaid as shall have complied with the Provisions of the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty.

5 & 6 Vict. c. 75.

Recovery of Penalties imposed by the Act.

LV. And be it enacted, That all and every the Penalties and Forfeitures by this Act imposed shall and may be recovered in a summary Way, on Conviction before a Justice or Justices of the Peace in Petty Sessions for the County or Place in which the Offence shall have been committed, together with the Costs of the Proceedings for the Recovery thereof, the Amount whereof shall be fixed and ascertained by the Justice or Justices before whom such Conviction shall be had; and every such Penalty or Forfeiture, when recovered, shall be paid to the Secretary of the Loan Fund Board, and be paid by him into the Bank of the Governor and Company of the Bank of *Ireland*, to the Credit of the said Loan Fund Board Account, to be applied and disposed of in furtherance of the Objects of this Act, in like Manner as the other Monies hereby directed to be lodged to the Credit of the said Board.

Penalties may be levied by Distress and Sale.

LVI. And be it enacted, That all and every the Penalties and Forfeitures imposed under the Authority of this Act, together with the Costs of all Proceedings for the Recovery thereof, may, in case of Nonpayment thereof, be levied by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand or Hands of the convicting Justice or Justices, or any of them, or any other Justice or Justices of the Peace for the same County or Place.

Summons, &c. for Recovery of Penalties to be in Forms given in Schedule.

LVII. And be it enacted, That any Justice or Justices of the Peace before whom any Information shall be laid in Writing against any Person, or before whom any Person shall be convicted for any Offence under this Act, may cause the Information, Summons, and Conviction to be drawn up according to the Forms respectively given in Schedule (C.) to this Act annexed, or any other Form to the same Effect, as the

the Case may require; and in any Information, and in every Conviction for any Offence contrary to this Act, it shall be sufficient if the Offence shall be stated in the Words of this Act.

Members of Loan Societies to be competent Witnesses, and not precluded from acting as Justices in any Proceeding under this Act.

LVIII. And be it enacted, That on the Trial of any Action, Indictment, or other Proceeding respecting the Property of any Loan Society, or in any Proceedings before any Justice of the Peace, any Trustee, Manager, Member, Officer, Clerk, or Servant of such Society shall be a competent Witness, and shall not be objected to on account of any Interest he may have in the Result of such Action, Indictment, or other Proceeding; and no Justice of the Peace who shall be a Trustee or other unpaid Officer or Member of any Loan Society shall be thereby precluded from adjudicating in the Matter of any Loan sued for by or on behalf of such Society, or of any Penalty or Forfeiture incurred under this Act, or from acting as such Justice of the Peace in any other Proceeding whatsoever under this Act; and in any Action, Suit, Complaint, Information, or other Proceeding, Civil or Criminal, of what Kind or Nature soever, and wheresoever pending, which shall be brought or carried on by the said Loan Fund Board, or by or in the Name of the Secretary of the said Loan Fund Board, the Secretary or any other Officer or Member of the said Board shall be a competent Witness in support of such Proceeding.

If Action brought for any Trespass, &c. done in Execution of the Act, Plaintiff not to recover after Tender of sufficient Amends.

LIX. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or by virtue of any Power or Authority hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, or Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Provision for Places not included in any Petty Sessions District.

LX. 'And whereas there are some Places not included in any Petty Sessions District;' be it therefore enacted, That all and every the Proceedings herein directed to be had before and the Jurisdictions hereby given to the Justices at Petty Sessions shall and may in every such Place be had before and exercised by any One or more Justices of the Peace acting in and for such Place so not included in any Petty Sessions District.

Limitation of Actions.

LXI. And be it enacted, That no Action, Suit, or Information, of what Nature soever, shall be brought, commenced, or prosecuted against any Person employed in the Management of a Loan Fund acting or established under the Provisions of this Act, for any Thing or Matter done or omitted to be done in pursuance of this Act, or in the Execution of any Power or Authority under this Act, unless Twenty Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding, to the intended Defendant, nor unless such Action, Suit, or Information, or other Proceedings, shall be brought or commenced within Six Calendar Months next after the Act committed; and if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding, after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall have his Costs as between Attorney and Client, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

Interpretation of Act.

LXII. And be it enacted, That in the Construction of this Act the Words "Lord Lieutenant of *Ireland*" shall include the Chief Governor or Governors of *Ireland* for the Time being, and that all Words importing the Singular Number or the Masculine Gender only shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Act may be repealed.

LXIII. And be it enacted, That this Act may be repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

No. 1.

Form of Certificate to be granted by the Loan Fund Board to a Loan Society or Mont de Piété, to entitle the same to the Benefit of this Act.

THIS is to certify, That the Rules of the Loan Society [*or* Mont de Piété, *as the Case may be,*] hereunto annexed, numbered have been approved by the Loan Fund Board, and duly certified to be in conformity to Law, and that the said Society is entitled to all the Benefits of an Act passed in the Session held in the Sixth and Seventh Years of the Reign of Queen Victoria, intituled "An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland."

By Order of the Loan Fund Board,

Signed this Day of .

No. .

Secretary to the Loan Fund Board.

No. 2

No. 2.

Form of Promissory Note or Security for the Repayment of Money lent by a Loan Society.

ON Demand we jointly and severally, or any Two of us, promise to pay to *A.B.*, the Treasurer for the Time being of the Loan Society, at the Times and in the Manner prescribed by the Rules of the said Society, the Sum of Sterling, together with all Fines which may be incurred by us or any of us under the Rules of the said Society.

Dated this Day of 18

£

	Names.	Residence.	Occupation.	
Witness.				Borrower.
				Sureties.

No. 3.

Form of Debenture or Security for the Payment of Money lent to a Loan Society.

THIS is to certify, That *A.B.* of has this Day deposited with *C.D.*, the Treasurer of the Loan Society, the Sum of £ to be repaid out of the Funds of the said Society to the said *A.B.*, his Executors, Administrators, or Assigns, at the Expiration of Calendar Months after a Demand thereof in Writing shall have been made upon the Treasurer of the said Society, and to bear Interest until repaid at the Rate of per Centum per Annum, to be paid half-yearly [*or otherwise, as agreed upon*]; and it is hereby declared, that the said Principal Sum and Interest shall be a Charge upon and payable out of the Funds and Property of the said Society, and such Funds and Property only; and that the Treasurer and other Officers and Members of the said Society, or any of them, shall not severally or collectively be responsible for the Payment thereof from or out of any other Funds whatsoever. Dated this Day of 18 .

(Signed) _____ Trustee.
_____ Treasurer.
Entered, _____ Clerk.

No. 4.

Form of Transfer of Debenture to be endorsed thereon.

I the within-named Depositor [*or* "the Assignee of the within Debenture"], do hereby transfer this Debenture, with all Interest due and to accrue due in respect thereof, unto of Witness my Hand, this Day of 18 .

[*Signature of Person making the Transfer.*]

Executed in the Presence of of , and of .

N.B.—The Transfer is not valid unless it shall have been executed at the Office and registered in the Books of the Society by which the Debenture was issued.

No. 5.

Form of Bond to be given by the Treasurer or other Officer of a Loan Society for the due Performance of his Office.

KNOW all Men by these Presents, That we, *A.B.* of Treasurer [*or* Clerk, *&c.*] of the Loan Society, and *C.D.* of and *E.F.* of are jointly and severally held and firmly bound to *G.N.*, Secretary to the Loan Fund Board established under an Act passed in the Session held in the Sixth and Seventh Years of the Reign of Queen Victoria, intituled "An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland," in the Sum of £ to be paid to the said *G.N.* as such Secretary as aforesaid, or other the Secretary of the said Board for the Time being, or to his certain Attorney, for which Payment well and truly to be made we jointly and severally bind ourselves, and each of us himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents, sealed with our Seals. Dated the Day of in the Year of our Lord . Whereas the above-bounden *A.B.* hath been duly appointed Treasurer [*or* Clerk, *&c.*] of the Loan Society:

Now the Condition of the above-written Bond is such, that if the said *A.B.* shall and do justly and faithfully execute his Office of Treasurer [*or* Clerk] of the said Loan Society, and shall and do from Time to Time and at all Times when thereunto required by the said Society, or any Person or Persons by them in that Behalf authorized, or by the Loan Fund Board, or by the Secretary, or any other Officer or Officers by the said Board in that Behalf authorized, render a just and true Account of all Monies received and paid by him the said *A.B.* on account of the said Society, or in execution of his said Office, or in relation thereto, and produce and exhibit to the Person so requiring him as aforesaid all Books, Accounts, Vouchers, Papers, and Documents of or belonging to the said Society, or relating to the Affairs thereof, in his Hands, Custody, or Power, and do and shall pay over all Monies remaining in his Hand, and assign or transfer or deliver all Securities and Effects, Books, Papers, and Property of or belonging to

to the said Society, in his Hands, Custody, or Power, to such Person or Persons as the said Society, so long as the same shall exist and continue duly authorized to act as a Loan Society shall appoint, or in case and so soon as the said Society shall cease to exist or be duly authorized to act as a Loan Society, then to such Person or Persons as the said Loan Fund Board, or any duly authorized Officer or Officers thereof, shall appoint, and do and shall conform to and observe all and every the Rules in force for the Time being of the said Society, and in all other respects well and truly and faithfully perform and fulfil the Duties of the said Office, then the above-written Bond shall be void and of no Effect, but otherwise the same shall be and remain in full Force and Virtue.

SCHEDULE (B.)

No. I.

Form of Loan Fund Summons.

County of to wit.
The Treasurer of the Loan Society, Plaintiff.
Defendants.

You are hereby required to appear personally before me, or any other Justice or Justices of the Peace for the said County, who shall be present at on the Day of 184 at the Hour of of the Clock in the noon of the same Day, to answer the Complaint of the Plaintiff, and show Cause why you neglect to pay him the Sum of £ being the Amount alleged by the Plaintiff to be due to him as Treasurer of the said Loan Society on your Note bearing Date the Day of and for Fines incurred under the Rules of the said Society; and in default of your Appearance at the Time and Place aforesaid the Case will proceed in your Absence as to Justice shall appertain. Dated this Day of

(Signed)

Justice of the Peace, &c. for the said County.

To the Defendants above named.

No. 2.

Warrant.

No.
County of
Petty Sessions to wit.
The Treasurer of the Loan Society, Plaintiff.

A., Borrower, of [*Place of Abode.*]
B., Security, of [*Place of Abode.*]
C., Security, of [*Place of Abode.*]
Defendant.

By J.P., at the Petty Sessions of in the County of

It appearing to me that a Summons was duly served on the Defendant , and that the Defendant justly indebted to the Plaintiff in the Sum of Pounds Shillings and pence Sterling for

It is therefore ordered and decreed by me, That the Plaintiff do recover from the Defendant the said Sum, together with Costs. And these are therefore to authorize and command you to distrain and sell the Goods and Chattels of the Defendant and every of them, and out of the Proceeds of such Sale to pay the Plaintiff the said Sum of Pounds, and also to pay all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Defendant or to such of them as may have been the Owners of the Goods so seized and sold.

Given under my Hand, this Day of

J.P.

Seal.

To all Constables, Bailiffs, and others to whom it may concern.

SCHEDULE (C.)

No. 1.

Form of Information for the Recovery of a Penalty or Forfeiture under the foregoing Act.

County of to wit.

A.B. of cometh before me, a Justice of the Peace for the said County, on the Day of at within the said County, and giveth me to understand and be informed that *C.D.* of did, &c. [*here describe the Offence.*]

(Signed)

No. 2.

Form of Summons for the Recovery of a Penalty or Forfeiture under this Act.

County of to wit. } You are hereby required to appear personally before me, or any other Justice or Justices of the Peace for the said County who shall be present at in the said County on the Day of 18 at the Hour of of the Clock in the noon of the same Day, to answer the Complaint of *A.B.* of charging that you did, *&c.* [*here set forth the Offence charged in the Information, or, if a Copy of the Information is served with the Summons,* "to answer the Complaint set forth in the Information with a Copy of which you are herewith furnished."] Dated this Day of

To *C.D.* of

(Signed)

Justice of the Peace for the said County.

No. 3.

Form of a Conviction for a Penalty or Forfeiture under the foregoing Act.

County of to wit. } Be it remembered, That on the Day of before me, One of the Justices of the Peace for the said County, sitting at in the said County, *C.D.* of on the Information of *A.B.* of is convicted, that he did, *&c.* [*here state the Offence*]. I do therefore adjudge that the said *C.D.* for his said Offence do forfeit and pay the Sum of £ Sterling, to be applied and disposed of as directed by the Statute in that Case made and provided, and that the said *C.D.* do further pay to the said *A.B.* the Sum of £ for his Costs in this Behalf.

Given under my Hand, the Day and Year first above written.

(Signed) _____

CAP. XCII.

An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in *Ireland*. [24th *August* 1843.]

'WHEREAS it is expedient that certain Amendments should be made in the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, and of an Act passed in the Second Year of the Reign of Her present Majesty, to amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever the net annual Value of the whole of the rateable Hereditaments in any Union occupied by any Person or Persons having no greater Estate or Interest therein than a Tenancy from Year to Year, or holding under any Lease or Agreement, Leases or Agreements, made after the passing of this Act, shall not exceed Four Pounds, or, in any Electoral Division situated wholly or in part within any of the Boroughs named in the Schedule annexed to this Act, shall not exceed Eight Pounds, the Rate in respect of such Property shall, after the passing of this Act, be made on the immediate Lessor or Lessors of such Person or Persons; and if at the Time of making any Rate the Name of the immediate Lessor be not accurately known to the Persons making the Rate, it shall be sufficient to describe him therein as "the immediate Lessor," with or without any Name or further Addition, and such Rate shall be held to be duly made on him by such Description, and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein.

1 & 2 Vict. c. 56. 2 Vict. c. 1.

Lessors of Property of less Value than 4*l.*, or in certain Boroughs than 8*l.*, to be rated for the same.

II. And be it enacted, That any Rate or Rates made as aforesaid on any Lessor in respect of any Property, whether occupied by One or more Occupiers, shall be recovered from him by all or any of the Remedies, Ways, and Means herein-after mentioned; (that is to say,) by Action or Suit in the Name of the Guardians of the Union against such Lessor in any of the Superior Courts of Record in *Dublin*, or by Civil Bill in the Court of proper Jurisdiction, or where such Lessor resides within any County in which such Union or any Part thereof is situate, whether the Property in respect of which such Rate is made be or be not within such County, the Collector of the Rate may, by Direction of the Guardians, leave at the Dwelling House of such Lessor a Notice, bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Rate within Fifteen Days from the Date of such Notice, and expressing that within Fifteen Days the Money demanded may be paid to the Collector at his House or Office; and if such Rate be not paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace of the County in which the Lessor may so reside, and such Justice shall summon the Lessor so complained against to appear before him in Petty Sessions and answer the said Complaint, and shall at the Time specified in such Summons examine into the Matter of such Complaint on Oath (which Oath the Justice is hereby empowered to administer), and shall direct the Payment to such Collector of such Sum of Money as he shall find due and payable as Rate by such Lessor, together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet; and in default of the Appearance of such Lessor, or on his Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall be lawful for such Justice, or for any Justice of the Peace for such County, to issue his Warrant authorizing or

Recovery of Rates from Lessors by Action or Civil Bill, or by Warrant of Distress.

or empowering the said Collector to levy the Money thereby ordered to be paid by Distress and Sale of any Goods or Chattels of such Lessor which may be found within any Part of such County, rendering the Overplus, if any, to such Lessor, the necessary Charges and Expences of distraining being first thereout deducted, as directed by such Justice; and if sufficient Distress cannot be found within the same County, then on Oath thereof made before any Justice of the Peace of any other County in which any of the Goods and Chattels of such Lessor may be found (which Oath such Justice shall administer, and certify by indorsing in his Handwriting his Name on the Warrant granted to make such Distress), the Goods or Chattels of such Lessor shall be subject and liable to such Distress and Sale in such other County where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within such first-mentioned County; and in any such Action or Suit, or Civil Bill, or Complaint before a Justice of the Peace against such Lessor as aforesaid, no Lessee or Occupier of the Property in respect of which such Lessor shall be rated shall be disabled or prevented from giving Evidence therein by reason of his being such Lessee or Occupier, or of any Liability to pay Rate in respect of such Property: Provided always, that no Action shall be brought in any of the Superior Courts of Record in *Dublin* without the Consent of the Poor Law Commissioners.

If Rate be not paid by the Lessor it may be recovered from the Occupier, who may deduct it from Rent.

III. And be it enacted, That if such Rate be not paid by such Lessor within Four Calendar Months after the making thereof it shall be lawful for the Guardians of the Union to give Notice in Writing, in the same Manner in which Summonses may be served under the said first-recited Act, to the Occupier or respective Occupiers of any such Property, to pay the Rate due in respect of the Property in his or their Occupation; and after the Expiration of One Calendar Month from the Time of giving such Notice it shall be lawful to recover such last-mentioned Rate from every such Occupier, or, in his Default, from any subsequent Occupier, according to the Provisions of the said Act; and every Occupier so paying such Rate may deduct from the Rent he may be then or next thereafter liable to pay in respect of any such Property the whole of any Rate he may have paid in respect of the same Property; and if Rent sufficient to cover such Rate be not then or do not thereafter become due from such Occupier he shall be entitled to recover the same from such Lessor by Civil Bill; and any Covenant or Agreement by which any such Occupier shall have covenanted or agreed to forego the Deduction of any such Rate shall, so far as such Rate is concerned, be of no Effect.

Where Houses are let in Lodgings, the Tenant of the whole House to be liable.

IV. And be it enacted, That where any House is let in separate Apartments or Lodgings no Tenant of any such Apartment or Lodging shall be liable to be rated in respect thereof, but the Rate shall be made in respect of the whole of such House upon the immediate Lessor under whom such Apartments or Lodgings are held; and such Rate shall be recovered from such Lessor by all or any of the Remedies, Ways, and Means herein-before provided for the Recovery of Rates where Lessors may be rated: Provided always, that if such Rate be not paid by such Lessor within Thirty-one Days after the making thereof it shall be lawful for the Collector to recover such Rate from any Person or Persons in Occupation of such Apartments or Lodgings, according to the Provisions of the said first-recited Act, and every Occupier of such Apartment or Lodging so paying such Rate may deduct from the Rent he may be then or next thereafter liable to pay in respect thereof the whole of any Rate he may have paid in respect of the same; and if Rent sufficient to cover such Rate and Money be not then or do not thereafter become due from such Occupier, he shall be entitled to recover the same from such Lessor by Civil Bill: Provided always, that nothing herein contained shall prevent the separate Valuation and rating of such Portions of a Tenement as are held separately from the Remainder, and to which there is an exclusive Right of Ingress: Provided always, that nothing herein contained shall prevent the Rate in respect of such House as last aforesaid from being made under the Provisions herein-before contained on the immediate Lessor under whom the whole of such House is held: Provided always, that nothing herein contained shall be construed to repeal or affect the Provisions of an Act of the Third and Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, which enables any Persons occupying any House, Warehouse, Counting-house, or Shop to claim to be rated to the Relief of the Poor in respect of such Premises respectively, whether the Landlord shall or shall not be liable to be rated to the Relief of the Poor in respect thereof, and to be enrolled as a Burgess under the Conditions provided in the said recited Act.

3 & 4 Vict. c. 108.

By Agreement Lessors of Property of any Value may be rated.

V. ‘ And whereas it is provided by the said first-recited Act that in any Case where the net annual ‘ Value of any Property shall not amount to Five Pounds, if the Occupier and his immediate Lessor by ‘ any Writing under their Hands shall require, and if the Guardians of the Union wherein such Property ‘ is situate shall by a Minute of their Board agree thereto, such immediate Lessor shall be rated instead ‘ of such Occupier: And whereas it is expedient to extend such Powers;’ be it therefore enacted, That the same Powers, and all the Provisions incidental thereto, shall extend to any Case where the net annual Value of rateable Property exceeds Five Pounds.

Goods found on Premises may be distrained.

VI. And be it enacted, That in all Cases in which under the said first-recited Act or this Act it is made lawful to levy any Money by Distress and Sale of the Goods of any Person, all Goods and Chattels, to whomsoever the same may belong, found on any Premises in respect of which any Person is or shall be rated as the Occupier, or as Occupier of which he is liable to pay the Rate, shall be liable to be distrained and sold as if they were the Goods and Chattels of such Person.

Valuation to be made by a Valuator appointed or sanctioned by the Commis-

VII. ‘ And whereas in the said first-recited Act it is enacted, that it shall be lawful for the Commis- ‘ sioners, where they shall see fit, either to appoint or to direct the Guardians to appoint a fit professional ‘ Person or Persons to make a Survey and Valuation of all or any Hereditaments liable to be rated in any ‘ Townland within a Union, or to revise and correct any existing Survey or Valuation: And whereas

sioners, and not to be departed from in assessing the Rate, 1 & 2 Vict. c. 56. s. 66.

'Doubts have been entertained whether any such Person appointed by the Commissioners may enter on 'Lands and Buildings in like Manner as a Person appointed by the Guardians: And whereas Doubts 'have also been entertained as to the Extent to which a Valuation made by a Person appointed as first 'aforesaid is binding on the Guardians, and it is desirable to remove such Doubts, and to extend the Pro- 'visions herein recited;' be it enacted, That the Commissioners may from Time to Time appoint a fit and proper Person to make a Survey or Valuation, or revise or correct any Survey or Valuation already made or hereafter to be made of all or any rateable Hereditaments, whether for any Portion of a Union or for any One or more Unions, and that the Commissioners may, if they see fit, direct the Guardians of any Union to appoint a fit and proper Person to make such Survey or Valuation, or to revise or correct any Survey or Valuation now made or hereafter to be made; and every Person so appointed by the Commissioners may, for the Purpose of making or revising any Survey or Valuation, at all reasonable Times enter every Field, Garden, or other inclosed Land, and all Buildings (not being inhabited Dwelling Houses) situated within such Townland or District; and every such Valuation made or revised by the Person so appointed shall, when signed and sealed by the Commissioners, be the Valuation on which the Rates for such Townland, District, Union or Unions shall be assessed and made; and it shall not be lawful for the Guardians in making any Rate to depart from or vary the Value as stated in such Valuation of any Hereditaments contained in such Rate, but every such Rate shall be assessed on the net annual Value as set forth in the Valuation so made, or revised and sealed by the Commissioners: Provided always, that on any Appeal against the Rate to any Sessions of the Peace under the said first and secondly recited Acts, it shall be lawful for the Assistant Barrister and Justices, or for the Recorder, before whom such Appeal is brought, to hear and finally determine the Matter of such Appeal, in like Manner to all Intents and Purposes as in the said Acts is provided, notwithstanding that such Valuation as herein-before mentioned has been so made or revised, and signed and sealed by the Commissioners: Provided also, that if on any Appeal against the Rate it shall be decided by such Assistant Barrister and Justices or Recorder that any Hereditament is unfairly or improperly assessed in any Rate made in pursuance of such Valuation as aforesaid, a Copy of the Order of the Court amending such Rate shall be transmitted by the Clerk of the Peace or proper Officer of the Court to the Commissioners, who shall thereupon authorize in Writing the Alteration of such Valuation in conformity with the Decision of such Court; and such Valuation so altered shall thenceforth be adhered to in making any future Rate, until the said Rate may be again amended as aforesaid on Appeal, or until the Commissioners shall see fit to appoint or sanction any Person or Persons to make a new Survey or Valuation as before, or to revise any existing Survey or Valuation.

Proviso as to Appeals.

Removing Doubts as to Court of Appeal against a Rate.

VIII. 'And whereas by the said recited Act passed in the First and Second Years of Her Majesty's 'Reign the Power of Appeal against a Rate was given in certain Cases to any Session of the Peace to be 'held in the Presence of the Assistant Barrister in and for the County in which such Rate should have 'been made, and by the said Act passed in the Second Year of the Reign of Her Majesty it was enacted, 'that every such Appeal should be made and heard and the Matter thereof determined by any General or 'Quarter Sessions of the Peace held for the County, County of a City, or County of a Town in which 'the Cause of Complaint may have arisen, although such Session should not be held in the Presence of an 'Assistant Barrister: And whereas certain Unions extend over Portions of Counties and Portions of Coun- 'ties of Cities and Towns, and Doubts have arisen whether in such Case an Appeal against a Rate ought 'to be made to the Sessions of the Peace for the County or County of the City or Town in which the Work- 'house of the Union is situate, or to the Sessions of the Peace in which the rateable Hereditament in respect 'of which the Appeal is intended to be made is situate, and it is expedient to remove such Doubts;' be it enacted, That in case the rateable Hereditament in respect of which any Appeal against a Rate is intended to be brought shall be situate or arise wholly within any County at large, or wholly within any County of a City or Town for which a General or Quarter Sessions of the Peace shall be held, the Appeal against such Rate shall be made to the Sessions of the Peace of the County or County of the City or Town (as the Case may be) within which such Hereditament shall be situate or arise; and in case such Hereditament shall be situate or arise partly within a County at large and partly within a County of a City or Town for which a General or Quarter Sessions shall be held, then to the Sessions of such County at large or such County of a City or Town to which the Appellant shall choose to appeal.

Repeal of 1 & 2 Vict. c. 56. s. 69.

IX. 'And whereas by the said first-recited Act it is provided, that before the First Rate shall be made 'in any Union under the Provisions of the said Act, and also previously to the making of any subsequent 'Rate upon any new Valuation, the said Guardians shall give such Notice as the Commissioners shall 'direct of the Place and Period, not to be less than Twenty-one Days, at and during which the Valuation 'whereon it is proposed that a Rate shall be made of the rateable Property within the Union may be 'seen; and such Valuation shall be shown at such Place and during such Period, by such Persons as the 'Guardians shall direct, and every Rate-payer within such Union shall be allowed at all Times between 'the Hours of Ten and Four during such Period to inspect such Valuation;' be it enacted, That the same shall be and is hereby repealed; and that it shall be lawful for any Person or Persons affected by any Rate in force in any Union at all Times between Ten o'Clock in the Forenoon and Four o'Clock in the Afternoon, *Sundays* excepted, to inspect every Valuation on which such Rate shall have been made, and to take Copies thereof or Extracts therefrom, without paying any thing for the same; and in case the Person or Persons having the Custody of any such Valuation refuse to permit such Person or Persons so affected by the Rate as aforesaid to take Copies thereof or Extracts therefrom, the Person or Persons so refusing, or not permitting any such Copy or Extract to be made, shall for every such Offence forfeit and

Valuation to be inspected at reasonable Times.

and pay any Sum not exceeding Ten Shillings, to be recovered as Penalties and Forfeitures are recoverable under the said Act.

Repeal of 1 & 2 Vict. c.56. s.65. as to Form of Rate and Declaration of Guardians.

X. And be it enacted, That the Provisions of the said first-recited Act by which it is required that certain Particulars set forth in a Form in a Schedule to the said Act annexed shall be inserted in the Rate Book, and that the Guardians or other Officers competent to the making of the Rate shall sign the Declaration at the Foot of the said Form, shall be and is hereby repealed; and that it shall be lawful for the said Commissioners from Time to Time to prescribe the Form in which Rates shall be made, and the Particulars which shall be contained in the Rate Book; and that hereafter the Clerk to the Guardians or other Officers as aforesaid shall at the Foot of every Rate certify that such Rate, in so far as the Value of the Hereditaments therein assessed is concerned, is in conformity with the Valuation in force for the Time being; and that after such Clerk shall have so certified, if the Board of Guardians shall adopt such Rate, the Chairman of the Day and Two or more of the Guardians present shall state at the Foot thereof that they do allow the same, and shall sign such Allowance, and such Rate shall be deemed to have been made at the Time of the Signature of such Allowance: Provided always, that in respect of all rateable Hereditaments situated in any of the Boroughs named in the Schedules (A.) and (B.) annexed to the Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or in any other Town to which a Charter of Incorporation may under the said Act be granted, the Rate Book shall, in addition to any other necessary Particulars, contain an Account of the estimated net annual Value of such rateable Hereditaments, and an Estimate of the probable annual average Cost of the Landlord's Repairs and Landlord's Insurance.

Hereafter Clerk to certify the Value, and Guardians to allow the Rate.

3&4 Vict. c. 108.

Rates for the County of Dublin to be collected as in any County in Ireland.

XI. And be it enacted, That every Rate made under the Authority of this or the said first-recited Act on any Electoral Division in the County or the County of the City of *Dublin*, and any Money authorized and directed to be levied under any Warrant for the levying of Poor Rate in the said County or County of the City of *Dublin*, shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means, and with the like Remedies and Powers in case of Nonpayment, as the Grand Jury Cess or the Money applotted on the several Persons liable to pay the same may be collected and levied in any other County in *Ireland*.

Residence defined for the Purpose of charging Relief to Electoral Divisions.

XII. And be it enacted, That, for the Purpose of charging the Expence of Relief to any Electoral Division, no Person shall after the passing of this Act be deemed to have been resident in such Electoral Division, unless during the Eighteen Calendar Months before his Admission into the Workhouse he have occupied some Tenement within such Division for Twelve Calendar Months, or (if he have not so occupied some Tenement) have usually slept within such Division for the Period of Twelve Calendar Months; and the Expence of the Relief of all other Persons who have not so occupied a Tenement, or slept within such Division, shall be borne by and charged against the whole Union in which they are relieved; and whenever any Person, after quitting the Workhouse of any Union is again admitted within the Space of Six Calendar Months, the Expence incurred in respect of such Person shall be borne and charged in the same Manner as before his so quitting the Workhouse: Provided always, that every Child relieved at the same Time with any Person liable under the Provisions of the said first-recited Act to maintain such Child shall be deemed to have been resident with such Person, and its Relief shall be charged to the Electoral Division or Union, as the Case may be, accordingly.

Appeal from the Decision of Guardians on the Question of Residence.

XIII. And be it enacted, That if any Person be described in the Register Book as resident in any Electoral Division who has not so occupied a Tenement or so slept in such Division as aforesaid, it shall be lawful for the Guardian or Guardians of such Electoral Division, or a Majority of them, or for any Three or more of the Ten Persons rated on the largest Amount of net annual Value within the Electoral Division, with the Consent in Writing of the Commissioners first obtained, to appeal against the Decision of the Board of Guardians, in the same Manner as any Person aggrieved by an Order or Conviction of Justices may appeal under the said first and secondly recited Acts; and if the Justices and Assistant Barrister or Recorder do not see fit to award Costs to either Party, the Guardians shall charge their Costs to the whole of the Union; and if the Justices and Assistant Barrister or Recorder see fit to award Costs to the Respondents, the Guardians of the Union shall charge their Costs to the Electoral Division on whose Behalf the Appeal is entered; and if they see fit to award Costs to the Appellant, the Guardians of the Union shall pay such Costs, and shall charge the same to the rest of the Union exclusively of such Electoral District.

As to Maintenance of Deaf and Dumb or Blind;

XIV. And be it enacted, That the Guardians of any Union may send any destitute poor deaf and dumb or blind Child under the Age of Eighteen to any Institution for the Maintenance of the Deaf and Dumb or Blind which may be approved of by the Commissioners, with the Consent of the Parents or Guardians of such Child, and may pay the Expence of its Maintenance there out of the Rates raised under the Authority of the said first-recited Act.

and as to Conveyance of Persons from Workhouse to Fever Hospital, &c.

XV. And be it enacted, That it shall be lawful for the Guardians of any Union to pay out of the Rates raised under the Authority of the said first-recited Act the Expence incurred in conveying any destitute poor Person from the Workhouse of the Union to any Fever Hospital or Lunatic Asylum, and in maintaining any such destitute poor Person in such Fever Hospital.

Places for the Reception of Fever Patients, &c. may be provided.

XVI. And be it enacted, That it shall be lawful for the Guardians of any Union, if they shall think fit, subject to such Regulations as the Poor Law Commissioners may from Time to Time prescribe, to provide Relief for poor Persons affected with Fever or other dangerous contagious Disease, in a House or Houses hired or rented for the Reception and Medical Treatment of such poor Persons during their Illness and Convalescence, or by appropriating for that Purpose such Portion or Portions of the Union Workhouses as

as the Guardians, with the Consent of the Poor Law Commissioners, shall consider it safe and convenient to be so applied, and to charge the Expence so incurred on the Rates of such Union.

Expences of prosecuting Offenders under the Acts.

XVII. And be it enacted, That it shall be lawful for the Guardians of any Union to pay any Expence reasonably incurred in following, apprehending, or prosecuting any Person guilty of any Offence against the Provisions of the said first-recited Act, or of any Act or Acts to amend the same.

Guardians may assist destitute poor Persons to emigrate.

XVIII. And be it enacted, That it shall be lawful for Two Thirds of the Guardians of any Union, subject to the Regulations of the Commissioners, to be made with the Consent of Her Majesty's Principal Secretary of State for the Colonial Department, to assist any destitute poor Person who actually is and has been for Three Months an Inmate in the Workhouse of such Union, and who has been approved by the Commissioners, to emigrate to a *British* Colony, and to charge the Expences of such Emigration on the Union or Electoral Division to which such destitute poor Person has been chargeable, but the Amount of such Expences shall not in any One Year exceed Sixpence in the Pound of the net annual Value of the rateable Property in the Electoral Division or Union respectively; and it shall be lawful for Two Thirds of the Commissioners and Guardians respectively to exercise these Powers although no Meeting of the Rate-payers of such Electoral Division or Union have been held, any thing in the said first-recited Act to the contrary notwithstanding.

In case of Vacancy amongst ex officio Guardians, Commissioners may appoint a Day for a new Election.

XIX. And be it enacted, That in case the Number of the Justices appointed to act as *ex-officio* Guardians of any Union be reduced by the Death, Removal, or Disqualification of any such *ex-officio* Guardians during the Year for which he is appointed to serve, the Commissioners may, by Order, appoint a Day before the Expiration of the Year on which the Justices of the Peace residing in the Union may assemble at a Meeting to appoint, in the Manner provided by the said Act, another Justice to serve until the next Appointment of *ex-officio* Guardians for the same Union in the Place of every *ex-officio* Guardian who has so died, been removed, or become disqualified.

Resignation of Candidates.

XX. And be it enacted, That if any Person put in nomination for the Office of Guardian in any Electoral Division or Ward tender to the Officer conducting the Election of Guardians his Refusal, in Writing, to serve such Office, the Election of Guardians, so far as regards such Person, shall be no further proceeded with in such Electoral Division or Ward.

Commissioners may order fresh Election to supply Vacancies when they see fit.

XXI. ‘ And whereas by the said first-recited Act it is provided, that in case an Election of Guardians ‘ for any Electoral Division or for any Union shall not take place in obedience to the Orders of the Com- ‘ missioners, and in pursuance of the said Act, or in case any Guardian duly elected shall neglect or refuse ‘ to act, the Commissioners snall order a fresh Election of Guardians for such Electoral Division, or shall ‘ declare the Place of such Guardian as aforesaid to be void, as the Case may be, and in such latter Case ‘ shall order a fresh Election of a Guardian in lieu of such Guardian as aforesaid: And whereas by the ‘ said secondly-recited Act the like Provision is extended to Wards formed for the Election of Guar- ‘ dians: And whereas it is desirable that the Power to order a fresh Election should be extended to all ‘ Cases of Vacancy in the Office of Guardian, but it is in certain Cases expedient that a fresh Election ‘ should not be ordered before the Period for the next annual Election;’ be it therefore enacted, That in every Case of Vacancy in the Office of Guardian the Commissioners shall order a fresh Election, if they think fit, but not otherwise, any thing in the said Acts to the contrary notwithstanding.

Persons convicted of certain Offences incapable of being Guardians.

XXII. And be it enacted, That no Person who has been convicted of Felony, Fraud, or Perjury, nor any Person who has been adjudged to be liable to any Forfeiture for having provided, furnished, or supplied for his own Profit any Materials, Goods, or Provisions for the Use of any Workhouse, or for having been concerned in furnishing or supplying the same, or in any Contract relating thereto, shall be capable of being elected or appointed or of acting as a Guardian.

Disputes as to Elections of Guardians may be determined by the Commissioners.

XXIII. And be it enacted, That in case any Question arise as to the Right of any Person to act as an Elective Guardian it shall be lawful for the said Commissioners, if they see fit, to inquire into the Circumstances of the Case, and to issue such Order or Orders therein, under their Hands and Seal, as they may deem requisite for determining the Question; and no such Order shall be liable to be removed by Writ of Certiorari into the Court of Queen's Bench, unless the Application for such Writ be made during the Term next after the issuing of such Order.

Certiorari.

Owners and Proxies to make their Claims One Month before voting.

XXIV. ‘ And whereas by the said first-recited Act it is provided, that no Rate-payer shall be entitled ‘ to vote, either in Person or Proxy, in respect of any Property not in his actual Occupation, or to give ‘ any Vote in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent ‘ equal to the net annual Value of the Property in his actual Occupation, unless he or his Proxy shall, ‘ One Week at the least previous to the Day on which he shall claim to vote, have given a Statement in ‘ Writing of his Name and Address, and the Description of the Property in respect of which he claims to ‘ vote, and of his Interest therein, and if such Proxy shall claim to vote, the original or an attested ‘ Copy of the Writing appointing such Proxy, to the Guardians, or some Person acting as the Returning ‘ Officer of the Election of Guardians: And whereas the Period of One Week between the giving of ‘ such Statements, Descriptions, and Writings, and the Day of the voting, is not sufficient for the due ‘ Examination of such Statements, Descriptions, and Writings;’ be it enacted, That no Rate-payer shall be entitled to vote as aforesaid, or to give such additional Vote as aforesaid, until One Calendar Month after the said Statement and Description, and in the Case of a Proxy until One Calendar Month after the said Original or Copy of his Appointment have been given to the Guardians or other Person as aforesaid.

Penalty for making or ten-

XXV. And be it enacted, That if any Person shall knowingly and fraudulently, and with the Intent of giving a greater Number of Votes than he is by Law entitled to give, tender or forward to the Returning Officer

Officer a false Statement of the Grounds on which he claims to vote or give additional Votes, or shall forge, falsify, or knowingly and fraudulently alter, after Signature, any Paper containing a Statement of Claim to vote, Proxy, Nomination, or Vote for the Election of Guardians, or Refusal to serve the Office of Guardian, or shall conspire to forge, falsify, or so alter any such Paper, or shall knowingly tender or forward to the proper Officer any such Paper, forged, falsified, or so altered as aforesaid, or shall wilfully suppress, carry off, destroy, or deface any Statement of Claim to vote, Proxy, or Nomination of a Candidate for the Office of Guardian, after the same shall be duly signed, or shall in like Manner suppress, carry off, destroy, or deface any Voting Paper after the same shall have been issued by the Returning Officer, he shall forfeit not more than Ten Pounds, to be recovered as Penalties and Forfeitures under the the said first-recited Act.

dering false Voting Papers, &c., and for suppressing Voting Papers, &c.

XXVI. And be it declared and enacted, That if at any Election of Guardians the Returning Officer have reasonable Cause to doubt the Correctness of any Claim to vote made by any Person in respect of Rent received and retained by such Person, such Returning Officer shall not admit such Person to vote in such Election in respect of such Rent, until such Person produce Evidence to the Satisfaction of such Returning Officer of the Amount of such Rent.

In what Case Returning Officer may refuse Vote.

XXVII. And be it enacted, That no Rate-payer or Person liable to be rated in any Union, and no Guardian or paid or unpaid Officer of any Union, being, as such Guardian or Officer, only a nominal Party to any Trial, Appeal, or other Proceeding, and liable only to contribute Costs in respect thereof in common with other Rate-payers of such Union, shall be disabled or prevented from giving Evidence on any Trial, Appeal, or other Proceeding, by reason only of his being such Rate-payer, or so liable to be rated, or of his being such a Party, or so liable to Costs as aforesaid.

Rate-payers and nominal Parties to be competent Witnesses.

XXVIII. And be it enacted, That the said recited Acts and this Act shall be construed as One Act, except so far as the Provisions of any one of such Acts may repeal or alter the Provisions of any previous Act.

Recited Acts and this Act to be construed as One Act.

XXIX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be amended, &c.

SCHEDULE to which this Act refers.

DUBLIN,
CORK,
LIMERICK,
BELFAST, and
WATERFORD.

CAP. XCIII.

An Act to amend an Act of the Third and Fourth Years of Her present Majesty for the Regulation of Municipal Corporations in *Ireland*. [24th *August* 1843.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, whereby it was amongst other things enacted, that the several and respective Collectors of the Poor Rates and of all Grand Jury and Municipal Cesses, Rates, and Taxes payable within any Borough in which the said Act should come into operation shall, on or before the Third Day of *September* in every Year, make out, or cause to be made out, according to a certain Form, an alphabetical List of all Persons who shall be subject to the Payment of such Poor Rate, Cesses, Rates, or Taxes within the Limits of such Borough, and within the Collection of the Person by whom or by whose Direction the same shall be made out; and that every such Collector shall sign the List so to be made out for his Collection, and cause a true Copy of such List to be prepared, and keep the same, to be perused by any Person, without Payment of any Fee, at all reasonable Times during the Ten Days next after the said Third Day of *September*, and on the same Third Day of *September* deliver the List, so signed by him as aforesaid, to the Town Clerk of such Borough; and that such Town Clerk shall forthwith cause to be printed true Copies of every such List, and deliver One or more of such respective printed Copies to any Person applying for the same, on Payment of a reasonable Price not exceeding One Shilling for each Copy: And whereas the said Enactment has been found inconvenient and expensive, and it is expedient that the same should be repealed, and other Provision made in lieu thereof;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the herein-before recited Enactment shall be and the same is hereby repealed, save and except so far as relates to any Matter or Thing done in pursuance thereof before the passing of this Act.

3 & 4 Vict. c. 108.

The recited Enactment repealed.

II. And be it enacted, That on or before the Eighth Day of *September* in every Year the Town Clerk of any Borough in which the said Act now is or hereafter shall come into operation shall, in a Book to be by him provided for that Purpose, enter the Names of all Persons who shall appear to be entitled to be enrolled as Burgesses of such Borough in the Burgess Roll then next to be made in right of Inhabitancy and Occupation and Rating according to the Provisions of the said recited Act, with the Premises in respect whereof they may be so entitled; and all such Names shall be arranged alphabetically, and numbered, beginning the Numbers from the first Name in such Book, and continuing them in a regular Series to the last Name in such Book; and such Book shall be made out according to the Form in the Schedule

Town Clerk to prepare a Book containing the Names of Persons entitled to be Burgesses, arranged alphabetically, according to Form in Schedule.

Schedule (A.) to this Act annexed, with so many Columns as may be necessary for the Insertion of the Particulars herein-after mentioned of the several Cesses, Rates, or Taxes payable within such Borough: Provided always, that in every Borough divided into Wards there shall be separate Books for each Ward, and that the Names of the Persons appearing to be entitled as aforesaid to be enrolled as Burgesses for such Borough shall be entered in the Book for the Ward wherein the Premises by the Inhabitancy, Occupation, and Rating whereof they may appear to be so entitled shall be situate; and the Town Clerk of such Borough shall, Two Days at the least before the said Eighth Day of *September* in every Year, summon or cause to be summoned the Collectors of all Rates for the Relief of the Poor, and of Grand Jury and Municipal Cesses, and of all Rates and Taxes payable in respect of Premises within such Borough, and also the Treasurer of such Borough, and, if there be no Treasurer, the Mayor of the said Borough, to attend at his Office, at such Time or Times within the Seven Days next succeeding the said Eighth Day of *September* as he shall think necessary, with all necessary Books, Papers, Vouchers, and Accounts; and they and each of them shall themselves or by their sufficient Deputies attend accordingly at the Office of the said Town Clerk, and shall, in such Order as the said Town Clerk shall direct for the more convenient Despatch of Business, enter in the Columns of the said Book appropriated to the Taxes, Rates, or Cesses within their Collection respectively the Amount of the last Tax, Rate, or Cess paid by each Person named in such Book, or paid on account of the Premises in respect whereof such Person may be entitled to be enrolled as aforesaid, and the Date of such Payment, and the Amount of the Tax, Rate, or Cess (if any) then due and unpaid by each such Person or in respect of such Premises as aforesaid, and the Date when the same became due and payable, and shall sign the said Columns; and on the Completion of the Entries so to be made in the said Book the said Town Clerk shall cause a Notice thereof to be fixed on or near the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, and shall keep the said Book in his said Office, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the last Ten Days of *September* (*Sunday* excepted), and shall deliver a Copy thereof, or any Extract therefrom, to any Person requiring the same, on Payment of a reasonable Price, not exceeding One Halfpenny for every Name, with the Entries attached thereto, which may be included in such Copy or Extract so required; and that such Copy or Extracts as aforesaid shall be delivered by the Town Clerk within Four Days from the Date of the Application.

The Collectors of the several Taxes shall attend at the Office of the Town Clerk, and insert the Payments of such Taxes in the proper Columns.

Upon Completion of the Entries, the Town Clerk to give Notice thereof, and permit the Book to be perused and give Copies or Extracts.

III. And be it enacted, That any Mayor, Treasurer, or Collector who shall neglect to perform the Duties herein-before described shall forfeit a Sum not exceeding Twenty Pounds, to be recovered by Action in any one of the Superior Courts at *Dublin*, or by Civil Bill in any Court of Record having Jurisdiction within such Borough respectively, by any Person who shall sue for the same, one Half to be paid to the Person who shall sue for the same, and the other Half, after deducting the Expences of so suing, to be ascertained by such Court, to be paid to Her Majesty, Her Heirs and Successors.

Penalty on Mayor, &c. neglecting their Duties.

IV. 'And whereas it is expedient to alter the Times and Periods specified and limited by the said recited 'Act for doing several Matters thereby required or authorized to be done,' be it therefore enacted, That on or before the Twentieth Day of *September*, instead of on or before the Fifth Day of *September* as in the said Act mentioned, in every Year, except the first, in which the said Act shall be or come into operation in any Borough, the Town Clerk of such Borough shall make out such Lists, as by the said Act directed, of all Persons entitled to be enrolled in the Burgess Roll of that Year within each Ward of such Borough, and sign the same: Provided always, that, in preparing such Lists, he shall exclude therefrom the Name of every Person who shall not appear by the Entries made in the Book herein-before mentioned by the several Collectors, Treasurer, or Mayor to have paid all Rates, Cesses, or Taxes by the said Act required to be paid in order to qualify such Person to be or to be enrolled as a Burgess of such Borough; and that he shall on the said Twentieth Day of *September*, instead of on the said Fifth Day of *September*, deliver a true Copy of such Lists, signed by himself, to the Mayor of such Borough; and that he shall himself keep such original List, to be perused by any Person, without Payment of any Fee, at all reasonable Hours between the Twentieth and Thirtieth Days of *September*, instead of between the Fifth and Fifteenth Days of *September*, as in the said Act mentioned; and that he shall cause a Copy of all such printed Lists as by the said Act he is required to cause to be fixed on or near the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, on every Day during the Eight Days next preceding the Fifteenth Day of *September* in every Year, to be so fixed on every Day during the Eight Days next preceding the First Day of *October* in every Year instead of the Eight Days preceding the Fifteenth Day of *September* as in the said Act mentioned; and that every Person whose Name shall be omitted in any such List as in the said Act mentioned, and who shall claim to have his Name inserted on the Burgess Roll, shall and may give Notice thereof to the Town Clerk (pursuant to the Directions of the said Act), on or before the First Day of *October* in every Year instead of on or before the Fifteenth Day of *September*, as in the said Act mentioned; and that every Person authorized under the Provisions of the said Act to object to any other Person as not being entitled to have his Name retained in the Burgess Roll for the same Borough shall, on or before the First Day of *October*, instead of on or before the Fifteenth Day of *September* as in the said Act mentioned, in every Year, give to the Town Clerk of such Borough, and also to the Person objected to, or leave at the Premises in respect of which his Name shall have been inserted in such List, Notice thereof as in the said Act mentioned; and that the Town Clerk shall cause Copies of all such Lists of Persons so claiming, and of all Persons so objected to, as by the said Act he is required to cause to be fixed on or near the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, during the Eight Days next preceding the First Day of *October* in every Year, to be so fixed during the Eight Days next preceding the Twentieth Day of *October* in every

The Days for doing several Acts required by 3 & 4 Vict. c. 108. altered.

every Year instead of the Eight Days next preceding the First Day of *October* as in the said Act mentioned; and that he shall keep a Copy of the Names of all Persons so claiming, and a Copy of the Names of all Persons so objected to, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Eight Days (*Sunday* excepted) next preceding the Twentieth Day of *October* in every Year, instead of during the Eight Days next preceding the First Day of *October* as in the said Act mentioned; and that the Court to be holden in each Borough in which the said Act shall come into or be in operation by the Barrister appointed as in the said Act mentioned, or by the Mayor and Two Assessors of the Borough, for the Purpose of revising the Lists in the said Act mentioned, shall be holden at some Time between the Twentieth Day of *October* and the Tenth Day of *November* inclusive in every Year, instead of between the First and Fifteenth Days of *October* as in the said Act mentioned; and that such Court may be adjourned from Time to Time so that no such adjourned Court shall be holden after the said Tenth Day of *November*, instead of the said Fifteenth Day of *October* as by the said Act provided; and that the Book by the said recited Act declared to be the Burgess Roll of each Borough shall be completed on or before the Twentieth Day of *November* in every Year, instead of on or before the Twenty-second Day of *October* in every Year; and that every such Book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the Choice of the Aldermen and Councillors, Assessors and Auditors of such Borough, at any Election which may take place in such Borough between the Twenty-fifth Day of *November* inclusive in the Year wherein such Burgess Roll shall have been made and the Twenty-fifth Day of *November* in the succeeding Year, instead of between the Twenty-fifth Day of *October* inclusive in the Year wherein such Burgess Roll shall have been made and the Twenty-fifth Day of *October* in the succeeding Year as by the said Act provided, or until a new Burgess Roll shall have been made; and that the Election for Councillors and Aldermen in the first Year in which this Act shall come into operation in any Borough shall be held on the Twenty-fifth Day of *November*, instead of the Twenty-fifth Day of *October* as in the said Act mentioned; and that such Aldermen and Councillors as are by the Provisions of the said Act to go out of Office on the Twenty-fifth Day of *October* in each Year shall respectively after the passing of this Act go out of Office on the Twenty-fifth Day of *November*, instead of the Twenty-fifth Day of *October* as by the said Act provided; and that such Aldermen and Councillors as shall be needed to supply the Vacancies so created shall be elected on the said Twenty-fifth Day of *November* in each Year, instead of the Twenty-fifth Day of *October* as by the said Act provided; and that the Two Auditors and the Two Assessors of each Borough, and the Two Assessors for each Ward in every Borough, shall, after the passing of this Act, be elected on the Third Day of *December* in each Year, instead of the Third Day of *November* as by the said Act provided; and that every such Auditor and Assessor shall continue in Office until the Tenth Day of *December* in the Year following his Election, instead of until the Tenth Day of *November* in such Year as by the said Act provided.

Time of Election and Entrance upon Office of the Mayor changed.

V. And be it enacted, That from and after the passing of this Act the Council of each Borough in which the said Act may now be or hereafter come into operation shall, on the First Day of *December* instead of the First Day of *November* in each Year as in the said Act mentioned, elect out of the Aldermen or Councillors of such Borough, in the Manner in the said Act directed, a fit Person to be the Mayor of such Borough, who shall enter upon the Office of Mayor of such Borough on the First Day of *January* next following, instead of on the Day of such Election as by the said Act provided, and shall continue in his Office for One whole Year from the said First Day of *January*, instead of from the Day of his Election as by the said Act provided, and until his Successor shall have accepted the Office of Mayor, and shall have made and subscribed the Declaration by Law required in that Behalf; and in case the Person so elected to such Office shall decline to accept the same, or having agreed to accept the same shall, after such Election, die, or become incapable of discharging the Duties of such Office, or cease to be an Alderman or Councillor of such Borough, the Council of the Borough shall, within Ten Days thereafter, elect out of the Aldermen or Councillors of the said Borough another fit Person to be the Mayor thereof for the ensuing Year, or the Residue thereof, as the Case may be; and at the like Times, instead of the Times in the said Act mentioned, the Board of Municipal Commissioners of any Borough shall elect out of the Commissioners of such Borough a fit Person to be the Chairman of such Commissioners, who shall enter upon his Office and continue therein at and for the like Times as herein-before provided in respect of any Mayor.

When Election Day falls on a Sunday.

VI. Provided, and be it enacted, That whenever any Day appointed by any Provision of this Act as a Day of Election or for doing any Act shall happen to be *Sunday*, in every such Case the Election shall be holden and the Act done on the following *Monday*.

Extending the Power allowed to be exercised over the Lands, &c.

VII. And be it enacted, That the Power of Disposition allowed by the said Act over the Lands, Tenements, and Hereditaments of any Body Corporate in the said Act mentioned, to be exercised with the Approbation of the Commissioners of Her Majesty's Treasury, or any Three of them, shall extend to the Disposition of such Lands, Tenements, and Hereditaments, with such Approbation as aforesaid, whether by way of absolute Sale or by way of Exchange, Mortgage, or Charge, Demise or Lease, and to every other Disposition of the same whatsoever, which shall be so approved of as aforesaid.

Councils of Boroughs, &c. may acquire Lands, &c. with the Consent

VIII. And be it enacted, That in every Case in which the Council of any Borough in *Ireland*, or Commissioners, elected under an Act passed in the Ninth Year of the Reign of His Majesty King *George* Fourth, intituled *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, of Burghs in *Ireland*, shall deem it expedient to

of the Treasury. 9 G. 4. c. 82.

to purchase or become possessed of for public Purposes any Lands, Tenements, or Hereditaments, it shall be lawful for such Council or Commissioners to represent the Circumstances of the Case to the Commissioners of Her Majesty's Treasury, and it shall be lawful for such Council or Commissioners so elected as aforesaid, with the Approbation of the said Commissioners of Her Majesty's Treasury, or of any Three of them, to purchase or become possessed of any Lands, Tenements, or Hereditaments in such Manner and on such Terms and Conditions as shall have been approved of by the said Commissioners as aforesaid:

Notice of Application.

Provided always, that Notice of the Intention of the Council or Commissioners so elected as aforesaid to make such Application as aforesaid shall be inserted once at least in the *Dublin Gazette* and in some local Newspaper, and shall be fixed on the outer Door of the Town Hall, or in some public or conspicuous Place within the Borough, One Calendar Month at least before such Application; and a Copy of the Memorial intended to be sent to the said Commissioners of Her Majesty's Treasury shall be kept in the Town Clerk's Office during such Calendar Month, and shall be freely open to the Inspection of every Burgess or Person entitled to vote at the Election of such Commissioners or Rate-payers of the Borough at all reasonable Hours during the same.

29 G. 3. (I.)

IX. 'And whereas by an Act of the *Irish* Parliament passed in the Session of Parliament held in the 'Twenty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better* '*supplying the Inhabitants of certain Cities and Towns with Water*, it was enacted that the Chief Magis-'trate, Aldermen, or Burgesses, Sheriffs, Bailiffs, and Common Council, Recorder, and Representatives 'of every City or Town in this Kingdom which gives Title to the See of a Bishop or Archbishop, except 'the Cities of *Dublin*, *Cork*, and *Limerick*, together with the Dean and Chapter of such Bishoprick, 'Archbishoprick, and also the Chief Magistrate, Aldermen, or Burgesses, and Representatives of every 'Town Corporate, should be Commissioners for the making of any Watercourse, Cut, Drain, Ditch, 'Trench, Dam, or Passage for the Purpose of conveying Water to such City or Town, with certain 'Powers as in said Act particularly mentioned: And whereas by an Act of the Parliament of *Ireland*,

34 G. 3. (I.)

'passed in the Thirty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act* '*to explain and amend an Act passed in the Twenty-ninth Year of the Reign of His present Majesty, intituled* ''*An Act for the better supplying the Inhabitants of certain Cities and Towns with Water*,' it was enacted, 'that it should be lawful for the Commissioners in the said Act named, or any Three of them, the Dean, 'Sub-Dean, or Chief Magistrate of any Town Corporate being one, to enter into Agreements with the 'Occupier of any House in any City or Town Corporate (to which Pipes should be brought by virtue of 'the said Act) for the laying of a Pipe to supply the said House with Water: And whereas it was by the 'said Act further enacted, that if any Occupier of any such House should neglect or refuse to pay the 'annual Rents so agreed upon for Twenty-one Days after personal Demand, or in Writing left at the 'usual Place of Abode or Occupation of the Person so directed to pay, it should be lawful for the said 'Commissioners, or their Officer or Receiver, by Warrant under the Hand and Seal of the Chief Magis-'trate, which Warrant the Chief Magistrate was thereby authorized and required to grant, to enter into 'the House of the Person so chargeable, and to distrain his Goods and Chattels, with certain Powers of

3 & 4 Vict. c. 108. s. 117.

'Sale of the said Distress as therein mentioned: And whereas by the said recited Act for the Regulation 'of Municipal Corporations in *Ireland* it was amongst other things enacted, that all Powers and Trusts, 'not otherwise therein provided for, which by any Act of Parliament or otherwise are vested in or 'exercised by any Body Corporate named in the Schedule (B.) to that Act annexed which shall be 'dissolved by virtue of that Act, or any Member or Members thereof, in his or their corporate Capacity, 'or any limited Number, Class, or Description thereof, or any Person or Persons elected from among or 'out of the Members of such Body Corporate, or any of them, or any Person or Persons selected by such 'Body Corporate, or any Member or Members thereof, shall, upon the Day on which such Body Corporate 'respectively shall be dissolved, and thenceforth until the Grant of a Charter of Incorporation as therein-'before directed, and the Election of a Council thereunder, or until Parliament shall otherwise provide, 'be exercised in manner therein-after mentioned; (that is to say,) such of the said Powers as relate to the 'Appointment of Justices of the Peace or Magistrates, or to the Appointment of other Officers for the 'Administration of Justice or in anywise relating thereto, or to the Appointment of Constables or other 'Persons for Purposes relating to Police, shall be exercised by the Lord Lieutenant as if he had been 'named in such Act respectively, instead of such Body Corporate, or Member or Members, Person or 'Persons; and all other of the said Powers not otherwise therein provided for shall be exercised alone, or 'together with such other Persons (if any) as would have been entitled to join in exercising the same if 'that Act had not been passed by the said Commissioners: And whereas it is expedient to amend the said

Powers of dissolved Corporations under 34 G. 3. (I.) may be exercised by Commissioners or Justices until other Provision made.

'Enactments;' be it therefore enacted, That the Power and Authority by the said Act of the Parliament of *Ireland* passed in the Thirty-fourth Year of the Reign of His late Majesty King *George* the Third given to the Chief Magistrate of any Body Corporate dissolved by virtue of the said Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of our Sovereign Lady Queen *Victoria* shall, until the Grant of a Charter of Incorporation as in the said Act directed, and the Election of a Town Council thereunder, or until Parliament shall otherwise provide, be exercised by the Chairman of the Commissioners elected under the said Act of the Ninth Year of the Reign of King *George* the Fourth, or by the Chairman of the Municipal Commissioners acting or to be elected in such Borough in pursuance of the said recited Act for the better Regulation of Municipal Corporations in *Ireland*, as the Case may be, or in default of there being either of such Commissioners elected in such Borough, then by such Justice or Justices of the Peace, having Jurisdiction within such Borough or Place, as for the Time being shall be appointed by the said Lord Lieutenant by Warrant under his Hand.

X. 'And

X. 'And whereas divers Provisions were made by the said recited Act in reference to and dependent 'upon the Election of Commissioners in certain Boroughs under the Provisions of an Act passed in the 'Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to make Provision for the lighting,* 9 G. 4. c. 82. '*cleansing, and watching of Cities, Towns Corporate, and Market Towns, in* Ireland, *in certain Cases:* 'And whereas it was by the said last-recited Act provided, that, at any Meeting convened as by that Act 'is directed for the Purpose of carrying the same into execution, every Person who shall reside within 'the City, Town Corporate, Borough, Market Town, or other Town where such Meeting shall be held, 'or, when the Limits of any Town shall not be defined, who shall reside within a certain Distance in the 'said Act mentioned, and who shall have been assessed or charged, by the last Rate made at Vestry in the 'Parish wherein such Person shall dwell, for or in respect of a Dwelling House or other Tenement of the 'computed annual Value, according to the said Rate, of Five Pounds or more, shall be admitted and entitled 'to vote, and no other Person whatsoever; and it was also provided by the said last-recited Act, that every 'Person resident as aforesaid, who shall have been assessed or charged by a like Vestry Rate for or in respect 'of a Dwelling House of the computed annual Value according to such Rate of Twenty Pounds or more, 'shall be eligible to be elected a Commissioner for the Purposes of the said Act at the first Election of 'Commissioners under the said Act: And whereas no such Vestry Rate as in the said Act mentioned has 'been made in many Parishes within which such Boroughs are respectively situate, and by reason thereof 'the Election of Commissioners under the Provisions of the said Act is liable to be questioned, and such 'Provisions of the said recited Act for the Regulation of Municipal Corporations in *Ireland* as depend upon 'the Election of Commissioners under the said Act of the Ninth Year of the Reign of King *George* the 'Fourth have become or may become ineffectual;' for Remedy whereof be it enacted, That in every Case Existing Elections declared valid in certain Cases; in which at any Meeting convened pursuant to the Provisions of the said last-recited Act for the Purpose of carrying the same into execution in any City, Town Corporate, Borough, or Town, an Election of Commissioners shall have been made, and the Persons so in fact elected Commissioners for the Purposes of the said Act, or any of them, shall have acted as such, and shall, or the Successors of whom shall, be at the Time of the passing of this Act acting as Commissioners in the Execution of the said Act, such Persons shall be and be deemed and taken to have been duly elected at and from the Time when such Election did in fact take place, and that all Acts, Contracts, Proceedings, Rates, Assessments, Matters, and Things heretofore *bonâ fide* made, done, authorized, or performed by any Commissioners so first elected, and all subsequent Elections of Commissioners under the said Act, and all things done by them, shall have and be deemed and taken to have had the same Force and Validity which they would have or have had if there had been within the Parish or Parishes wherein any such Borough may be situate such a Vestry Rate as in the said Act mentioned, and as if each of the Persons so first elected Commissioners had been assessed or charged thereby for or in respect of a Dwelling House or other Tenement of the computed annual Value according to the said Rate of Twenty Pounds or more, and as if the Persons admitted to vote at the Meeting whereat such Election may have taken place had each of them been assessed or charged by such Rate for or in respect of a Dwelling House or other Tenement of the computed annual Value according to the said Rate of Five Pounds or upwards.

XI. Provided always, and be it enacted, That nothing herein shall apply or extend to any Election of but not Elections heretofore declared invalid. Commissioners which shall have been at any Time heretofore declared or adjudged invalid by any Court of competent Jurisdiction.

XII. And be it enacted, That those Parts of the said recited Act of the Ninth Year of the Reign of So much of the 9 G. 4. c. 82. as relates to the Vestry Rate repealed. King *George* the Fourth which make it necessary, to entitle any Person to vote at any Meeting convened under the Provisions of the said Act, or to render any Person eligible to be elected a Commissioner at the first Election of Commissioners under the said Act, that such Person shall be or have been charged or assessed by the last Rate made at Vestry, in the Parish wherein he may dwell, for or in respect of a Dwelling House or other Tenement in any Amount whatsoever, shall be and the same is hereby repealed, without Prejudice nevertheless to any thing done or Election made previous to the passing of this Act.

XIII. And be it enacted, That at any Meeting convened after the passing of this Act for the Purpose Qualification of Voter; of carrying the said last-recited Act into execution, or any Adjournment thereof, no Person shall be admitted or entitled to vote unless he shall have been rated under the Act for the more effectual Relief of the destitute Poor in *Ireland*, or any Act amending the same, by the last Rate made in the Union wherein he shall dwell, in respect of Lands, Tenements, or Hereditaments of the net annual Value of Five Pounds or upwards, nor unless he shall have paid all such Poor Rate as shall have become legally due and been demanded from him; and that no Person shall be eligible to be elected a Commissioner at the first Elec- of Commissioner. tion of Commissioners under the said Act unless he shall have been so rated to the Relief of the Poor by the last Rate made in the Union wherein he shall dwell, in respect of Lands, Tenements, or Hereditaments of the net annual Value of Twenty Pounds or upwards, nor unless he shall have paid all such Poor Rate as shall have become legally due and been demanded from him.

XIV. And be it enacted, That if any Controversy shall arise at any such Meeting or Election as to the Right of voting shall be decided by Chairman at Meeting. Qualification, or Right of Voting, or Eligibility of any Person, such Controversy shall be determined by reference to the Rate Book or Rate Books of the Guardians of the Poor Law of the Union or Unions in which such City, Town Corporate, Borough, Market Town, or other Town is situate; and for this Purpose Clerk to Guardians to attend with Valuation Book to assist Chairman. the Clerk to the Guardians of each such Union shall attend such Meeting and Election, and shall then and there produce the Rate or Valuation Book of such Union, in order that Reference may be had thereto, if necessary, as aforesaid, and shall point out to the Person or Persons presiding at such Meeting the Entry in the said Book of Rating of the Person whose Vote or Eligibility shall so be in Controversy as aforesaid;

aforesaid; and the Person or Persons so presiding at such Meeting as aforesaid shall give Judgment accordingly; and if any Clerk of any Union shall refuse or neglect to attend any such Meeting or Election so convened as aforesaid, he having been required to do so by a Notice in Writing signed by the Person or Persons authorized to preside at such Meeting or Election, or by any One of them, such Notice being either served upon him personally, or left for him at the Workhouse of such Union, he shall, on being convicted thereof before any Two or more Justices of the Peace, forfeit and pay any Sum not exceeding Twenty Pounds, together with the Costs of suing for and recovering or levying the same, to be recovered and levied in like Manner as all other Forfeitures, Fines, or Penalties are made recoverable, and directed to be levied by the said Act.

Clerk refusing or neglecting, to forfeit for each Offence 20*l.* and Costs.

XV. And be it enacted, That in framing the Registry, which the Commissioners acting in the Execution of the said Act are thereby required to keep, and from Time to Time to revise and amend, of Householders occupying Houses of the annual Value of Five Pounds or upwards, and of Householders occupying Houses of the annual Value of Twenty Pounds or upwards, such Commissioners shall have regard to the Valuation made for the Purposes of the Poor Rate under the said recited Act for the more effectual Relief of the destitute Poor in *Ireland*, or any Act amending the same; and that the annual Value of Five Pounds and upwards and the annual Value of Twenty Pounds or upwards with reference to which such Registry is to be formed shall be deemed and taken to be the net annual Value as ascertained by the Valuation made for the Purposes of the said last-mentioned Act or Acts.

The Registry which the Commissioners are to keep of 5*l.* and of 20*l.* Householders shall be framed with reference to the Poor Rates Valuation.

XVI. And be it enacted, That those Parts of the said recited Act which direct or require the Commissioners acting in execution thereof to make a Survey and Valuation for the Purposes of the said Act, and as direct the Rates and Assessments which such Commissioners are authorized to levy to be applotted in certain Proportions according to such Valuation, shall be and the same are hereby repealed, without Prejudice nevertheless to any Applotment heretofore made, or to the Recovery of any Rate or Assessment payable thereunder.

Parts of 9 G. 4. c. 82. as to making a Valuation, &c. repealed.

XVII. And be it enacted, That from and after the passing of this Act every Rate to be at any Time made by any Commissioners now or hereafter acting in the Execution of the said Act of the Ninth Year of King *George* the Fourth shall be applotted, raised, and levied on the Owners, Occupiers, and Tenants of the Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tenements liable to be rated and assessed under the Provisions of the said Act according to the net annual Value thereof respectively as the same now are or shall from Time to Time be hereafter valued and rated under the said recited Act for the more effectual Relief of the destitute Poor in *Ireland*, or any Act or Acts amending the same: Provided always, that nothing herein contained shall extend to or affect the Provisions made by the said Act as to the relative Proportions of the said Rates to be imposed upon Premises of different Value, or any other Provision of the said Act in respect of such Rates, save only as herein-before provided in respect of the Substitution of the Valuation under the said Act for the more effectual Relief of the destitute Poor, for a Valuation to be made by the Commissioners for the special Purposes of the said Act of the Ninth Year of King *George* the Fourth.

The Poor Rate Valuation shall be used instead.

Proviso.

XVIII. ‘ And whereas certain Hereditaments by the herein-before recited Act of the Ninth Year of ‘ King *George* the Fourth made chargeable for the Purposes of the said Act may not be rateable for the ‘ Relief of the Poor, and upon that Ground have not been or may not have been included in the ‘ Valuation made for the Purpose of Poor Rates; and it is expedient that all such Property, although not ‘ so rateable, should be valued in like Manner and upon the same Scale as that which is so rateable or ‘ rated: And whereas in the Valuation made for the Purpose of Poor Rates Dwelling Houses may be ‘ in certain Cases valued together with Property not comprehended in that Term, and a separate Valuation ‘ of such Dwelling Houses is necessary for certain Purposes of the said Act;’ be it therefore enacted, That in all Cases of Property which is or shall be liable to the Payment of any Rate or Assessment under the Provisions of the herein-before recited Act, and which is or shall be by Law exempted from the Rate, or not rateable to or which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the Poor Law Commissioners shall cause to be made and declared separate Valuations of all or any such Property and Dwelling Houses situate in any Ward or Townland, or other Denomination proper for that Purpose within the Union, in like Manner as by Law they now are or hereafter may be authorized, required, or directed with respect to Hereditaments liable to be rated as aforesaid; and every such separate Valuation of Property not liable to be rated to the Relief of the Poor shall contain in a separate Column a Statement of the Ground of such Exemption; and all such separate Valuations, when made, shall be subject in all respects to the like Right of Appeal, Regulations, Additions, or Alterations, and shall be of like Force and Effect, under the Provision of this Act, as any Valuation made for the Purposes of a Rate for the Relief of the Poor, as nearly as the Circumstances of the Case will admit; and Copies of such separate Valuations shall be furnished by the Clerk of the Guardians of the Poor of such Union in the same Manner and within the same Period as is herein-after directed with respect to Copies of the Rates.

Supplemental Valuations.

XIX. And be it enacted, That within Twenty-one Days after the first Election of Commissioners under the Provisions of the said Act of the Ninth Year of the Reign of His Majesty King *George* the Fourth in any City, Borough, or Town wherein such Act may not now be in operation, and on or before the First Day of *August* in every Year in each City, Borough, or Town where the said Act may now or then be in operation, the Clerk of the Guardians of the Poor of each Union situate wholly or in part within such City, Borough, or Town, or within the Limits of the Jurisdiction of the said Commissioners, shall

Copies of Valuations.

shall make out a true and perfect Copy of the then last made Rate for the Relief of the Poor therein, and of such supplemental or separate Valuations as are herein-before directed to be made, or of so much of them or either of them as shall relate to any Property liable to be rated under the Provisions of the said recited Act, and as shall be required by the said Commissioners, and shall deliver the same, attested and certified by him, to the said Commissioners; and such Clerk of the Guardians of each Union as aforesaid, from Time to Time and as often as any Additions to or Alterations in the said Rate for the Relief of the Poor shall have been made, whether by Appeal or otherwise, shall, within Ten Days after such Rate and supplemental Valuation shall have been so added to or altered, make true and perfect Copies of such Additions or Alterations, and deliver the same, attested and certified by him, to the said Commissioners.

Entry of Rate or a certified Copy thereof, Evidence.

XX. And be it enacted, That the Entry of such Rate or supplemental Valuation, or in the Absence of the Original such attested and certified Copy of such Rate or supplemental Valuation, Addition, or Alteration as aforesaid, shall in all Cases be and be deemed and taken to be conclusive Evidence of all the Matters contained therein.

Applications may be made to the Lord Lieutenant for adopting the Provisions of Act 9 G. 4. c. 82., notwithstanding the Determination of any Meeting previously held under that Act;

XXI. 'And whereas it was by the said recited Act provided, that if any Meeting convened pursuant 'to the Provisions of the said Act should determine against adopting and acting upon the Provisions of 'the said Act, such Meeting should adjourn *sine die;* and that it should not be competent for any House-'holders within the same City, Borough, or Town to make any such Application as in the said Act 'described, nor should any such Orders and Directions as in the said Act mentioned issue for convening a 'like Meeting within the same City, Borough, or Town for and during the Term of Three Years, com-'puted from the Term of Adjournment aforesaid; and that at and after the Completion of such Term it 'should become again competent to make such Application, and thereon to issue such Orders and Direc-'tions as aforesaid: And whereas it is expedient, with regard to the Operation of the said Act for the 'Regulation of Municipal Corporations in *Ireland*, to authorize the Adoption of the Provisions of the 'said Act of the Ninth Year of King *George* the Fourth, notwithstanding a previous Determination of any 'Meeting convened as aforesaid to the contrary;' be it therefore enacted, That at any Time within Twelve Calendar Months next after the passing of this Act it shall and may be competent, notwithstanding any such previous Proceedings under the said Act within Three Years then unexpired, for the House-holders in any City, Borough, or Town to make such Application as in the said Act mentioned, and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to give such Orders and Directions as in the said Act mentioned; and that thereupon all such and the like Proceedings shall and may be had as if the Term of Three Years from Adjournment of any such former Meeting had expired, or as if no such Meeting had been at any Time held in such City, Borough, or Town.

and the Lord Lieutenant may give Directions accordingly.

Recovery of Rates by Civil Bill.

XXII. 'And whereas under and by virtue of said recited Act of the Third and Fourth Years of the 'Reign of Her present Majesty the Council of any Borough in *Ireland*, in the Cases in said Act men-'tioned, is authorized and required from Time to Time to order a Borough Rate to be made within the 'Borough, and for that Purpose the Council of such Borough shall have within their Borough all the 'Powers and Authorities which any Commissioners in any Borough in *Ireland* have within the Limits of 'their Commission by virtue of the said recited Act of the Ninth Year of the Reign of King *George* the 'Fourth, and should observe and preserve the Provisions thereof as if the same were therein recited: 'And whereas the Mode prescribed for the Recovery of Rates under the said recited Act is Distress 'and Sale of the Goods distrained for Nonpayment of same, and it is expedient to extend the Mode of 'Recovery of Rates, as well as those to be made under the said recited Act of the Ninth Year of the 'Reign of His Majesty King *George* the Fourth as those to be made in pursuance of the said recited 'Act of the Third and Fourth Years of the Reign of Her Majesty Queen *Victoria;*' be it therefore enacted, That it shall and may be lawful to and for the Council of any Borough, or the said Commissioners acting under the said recited Act of the Ninth Year of His Majesty King *George* the Fourth, where any Rate shall hereafter be made pursuant to said recited Acts or either of them, shall be in arrear and unpaid by the Owners, Occupiers, or Tenants of any Hereditament on which same shall be chargeable or payable out of, and where such Rate so in arrear shall not exceed the Sum of Twenty Pounds, to proceed for Recovery of same against the Party liable by Civil Bill before the Assistant Barrister or Recorder having Jurisdiction for Trials by Civil Bill in the County, County of the Town, City, or Borough where the Hereditament or Tenement on which said Rate so in arrear is chargeable shall be situate, and such Assistant Barrister or Recorder, as the Case may be, shall have Power to hold Plea thereof, and the same shall and may be proceeded on in like Manner in all respects, and the like Decree or Judgment and Execution shall and may be had thereon, and also the like Benefit of Appeal, and of Proceedings, Judgment, and Execution thereon, as in case of any other Sum or Demand which may now by Law be had or used before such Judge: Provided always, that in case of such Civil Bill Proceedings by any Council of any Borough, same shall be brought in the Name, Style, and Title of the Corporate Body of such Borough as Plaintiffs, and in case of such Proceedings by any Commissioners acting under the said recited Act, same shall be brought in the Name of the Chairman of said Commissioners acting as such Chairman at the Time such Civil Bill Proceeding shall be commenced, and styling him as such Chairman.

Polling at Elections of Commissioners

XXIII. 'And whereas by an Act passed in the Ninth Year of the Reign of Hjs Majesty *George* the 'Fourth, intituled *An Act to make Provision for the lighting and cleansing of Towns in* Ireland, the 'Mode of Election of Commissioners therein provided directs, "that if the Votes of all the Persons duly 'qualified and desirous to vote cannot be conveniently collected and registered by Four of the Clock of

'the same Day upon which the said Poll shall have been commenced, then the said Mayor or other 'Chief Magistrate or Justices, as the Case may be, shall adjourn such Poll to the Day next succeeding, 'unless such Day shall be *Sunday*, and in that Case to the *Monday* following; and if such Second 'Day shall likewise prove insufficient, shall adjourn to the Day next succeeding, unless such Day shall 'be *Sunday*, and in that Case to the *Monday* following, and so proceed *de die in diem* to collect and 'register the Votes of all Persons duly qualified and applying to vote: And whereas great Inconvenience 'has arisen from the Length of Time the Poll has been kept open, and it is expedient to alter and abridge 'the same;' be it enacted, That where a Poll has been demanded under the Powers given by above-mentioned Act, such Poll shall commence at the Hour of Ten o'Clock in the Forenoon of the Day next succeeding, unless such Day shall be *Saturday* or *Sunday*, and in that Case on the *Monday* following; and if the Votes of all the Persons duly qualified and desirous to vote cannot be conveniently collected and registered by Four of the Clock of the same Day upon which the said Poll shall have been commenced, then the Mayor or other Chief Magistrate or Justices, as the Case may be, shall adjourn such Poll to the next succeeding Day, and so proceed to collect and register the Votes of all Persons duly qualified and applying to vote; and on the Day to which such Adjournment shall be made the Poll shall open at Ten of the Clock in the Forenoon, and close at Four of the Clock in the Afternoon: Provided nevertheless, that the Poll shall finally close so soon as all the Persons duly qualified and desirous to vote shall have voted, or after the Lapse of One Hour without any Person offering to vote.

Appointment of Commissioners to receive Affidavits and take Bail in Galway Borough Court.

XXIV. 'And whereas there is no Mayor or Municipal Corporation in the County of the Town of '*Galway*, and Suitors in the Borough Court of the said Town are put to serious Loss and Inconvenience 'for Want of Commissioners by whom Affidavits may be received and Bail taken in Suits instituted in 'the said Court, so much so as to render the said Court nearly useless to the Inhabitants of the said 'Borough;' be it therefore enacted, That it shall and may be lawful to and for the Recorder of the said Borough to appoint Two fit and proper Persons to act as Commissioners for receiving Affidavits and special Bail in and for the said Borough Court, in like Manner as Commissioners for similar Purposes are appointed by the Judges of the Superior Courts of Record in *Dublin*.

Jurisdiction of Assistant Barrister for Louth extended to Drogheda.

XXV. And be it enacted, That from and after the passing of this Act the Assistant Barrister for the Time being of the County of *Louth* shall have Criminal Jurisdiction in and for the County of the Town of *Drogheda* as fully as he has in and for the said County of *Louth*, and shall and may exercise such Jurisdiction together with the Justices assigned to keep the Peace within the said County of the Town of *Drogheda*; and that a General Sessions of the Peace shall be from Time to Time holden in and for the said County of the Town of *Drogheda*, either immediately before or after the Sessions of the Peace for the County of *Louth* from Time to Time holden under the Laws now in force in the said Town of *Drogheda* by the said Assistant Barrister, for the Purpose of hearing and determining Causes in a summary Way by Civil Bill; and that such Court of General Sessions of the Peace so to be holden in and for the said County of the Town of *Drogheda* shall have all and every the Jurisdictions, Powers, and Authorities which may by Law or Statute belong to any Court of General Sessions of the Peace holden in any County of a City or County of a Town or Borough in *Ireland*.

Municipal Commissioners for Carrickfergus.

XXVI. 'And whereas by virtue of the Provisions of the said recited Act for the better Regulation of 'Municipal Corporations in *Ireland*, the Body Corporate named in the Schedule (B.) to the said Act 'annexed in conjunction with the Borough of *Carrickfergus* was dissolved on the Twenty-fifth Day of '*October* One thousand eight hundred and forty-one, and the said Act then came into operation within the 'said Borough: And whereas it was by the said recited Act provided, that on the said Twenty-fifth Day 'of *October* One thousand eight hundred and forty-one, in any Borough named in the Schedule (G.) 'to the said Act annexed in which there should not then have been elected Commissioners under the 'therein-recited Act of the Ninth Year of the Reign of King *George* the Fourth, there should be constituted, according to the Provisions therein after contained, a Board of Commissioners for the 'Disposition of the Property of the Body Corporate named as aforesaid in conjunction with such Borough, 'to be called the Municipal Commissioners of such Borough, until the Grant of a Charter of Incorporation, or the Election of Commissioners under the Act of the Ninth Year of King *George* the Fourth 'therein mentioned: And whereas the said Borough of *Carrickfergus* is one of the Boroughs named in 'the said Schedule (G.), and no Commissioners were, on the said Twenty-fifth Day of *October* One thousand eight hundred and forty-one, nor are any now elected in or for such Borough under the said Act 'of the Ninth Year of the Reign of King *George* the Fourth: And whereas under the Provisions of the 'said Act for the Regulation of Municipal Corporations in *Ireland* it was among other things required, 'in order to entitle any Person to vote at the Election of Municipal Commissioners in any Borough, that 'he should have been rated to the Relief of the Poor, in respect of Premises within such Borough, for 'the Space of Twelve Calendar Months at the least next preceding the last Day of *August* in the said Year 'One thousand eight hundred and forty-one: And whereas no Rate for the Relief of the Poor was 'made in the Union whereof the said Borough of *Carrickfergus* is an Electoral Division until the 'Seventh Day of *December* One thousand eight hundred and forty-two, and by reason thereof the Provisions of the said Act for the Constitution of Municipal Commissioners within the said Borough have 'been rendered ineffectual;' be it therefore enacted, That in this present Year a Board of Municipal Commissioners shall be constituted in the said Borough of *Carrickfergus*, in like Manner as such Board might or ought to have been constituted therein in the said Year One thousand eight hundred and forty-one, if a Rate for the Relief of the Poor had been made in the Union whereof the said Borough is an Electoral Division Twelve Calendar Months previous to the said last Day of *August* in the said Year One

thousand eight hundred and forty-one; and that all and every the Provisions of the said recited Act for the better Regulation of Municipal Corporations in *Ireland* relative to the electing and appointing of Municipal Commissioners in the said Year One thousand eight hundred and forty-one shall apply and extend to the Election and Appointment of Municipal Commissioners for the said Borough of *Carrickfergus* in this present Year, save as such Provisions may be altered by this Act; and that all Acts, Matters, and Things directed or required to be done in the first Year in which the said Act should come into operation in any Borough shall, save as aforesaid, be done in this present Year in the said Borough of *Carrickfergus*, as if the said Act had come into operation in the said Borough in this present Year; and provided also, that every Person otherwise qualified to vote at the Election of Municipal Commissioners for the said Borough shall be entitled to vote at the Election of such Commissioners in this present Year, who shall have been rated to the Relief of the Poor in respect of such Premises as in the said Act mentioned for the Space of Six Calendar Months next preceding the last Day of *August* in this present Year, instead of Twelve Calendar Months, as by the said Act required; and that from and immediately after the Appointment of such Municipal Commissioners under this Act all the Lands, Tenements, Estates, and Property, real or personal, which were vested in the said late dissolved Body Corporate named in the Schedule (B.) to such recited Act annexed in conjunction with the Borough of *Carrickfergus*, and all Rents, Issues, and Profits that have accrued thereout since the Dissolution of the said Corporate Body, shall become vested in the said Municipal Commissioners and their Successors; and that the said Municipal Commissioners and their Successors shall have such and the same Estate and Interest therein, and such and the same Title thereto, as against all Persons and Bodies Corporate and Politic, including the Queen's most Excellent Majesty, Her Heirs and Successors, as was vested in the said late dissolved Body Corporate at or immediately before the Dissolution thereof, subject nevertheless to the same Leases, Charges, and Incumbrances, or such of them or such Part thereof as are still subsisting, as the same were subject to in the Hands of the said late dissolved Body Corporate: Provided always, that upon the Grant of any such Charter of Incorporation as in the said Act mentioned, or upon the Election of Commissioners under the said Act of the Ninth Year of King *George* the Fourth, such Board of Commissioners shall cease, and all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated, or in the Commissioners elected under the said Act of the Ninth Year of King *George* the Fourth where no such Charter shall then have been granted, as the Case may be; and in case such Estate and Accumulation shall so have vested in such Commissioners under the said Act of the Ninth Year of King *George* the Fourth, the same shall be applied by such Commissioners in aid of the Rates to be levied by them under the said Act, and the Surplus thereof, if any, shall be applied by them for the public Benefit of the Inhabitants and Improvement of the Borough until such Charter may at any Time afterwards be granted; and upon the Grant of any such Charter, and the Election of a Council under its Provisions, the Powers of the said Commissioners as to the said Estate shall cease, and all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated.

What deemed sufficient Occupation and Payment of Rates to entitle a Person to be enrolled on the Burgess Roll.

XXVII. 'And whereas by the said first-recited Act it is enacted, that after the same should come into 'operation in every Borough named in Schedule (A.) to such Act annexed, and also in any Borough named 'in Schedule (B.) thereto annexed, or other Town to which a Charter of Incorporation under the said 'Act should be granted, every Man of full Age who on the last Day of *August* in any Year should be an 'Inhabitant Householder, and should for Six Calendar Months previous thereto have been resident as 'such within such Borough, or within Seven Statute Miles of such Borough, and who should occupy 'within such Borough any House, Warehouse, Counting House, or Shop, which, either separately or jointly 'with any Land within such Borough occupied therewith by him as Tenant or occupied by him therewith 'as Owner, should be of the clear yearly Value of not less than Ten Pounds, determined in manner in 'the said Act mentioned, should, if duly enrolled according to the Provisions in such Act contained, be a 'Burgess of such Borough; provided that no such Occupier should be admitted to be enrolled as a Burgess 'unless he should have been rated to the Relief of the Poor under the Act made for the Relief of the destitute 'Poor in *Ireland*, and should have occupied such Premises within the said Borough, or other Premises of 'the like Nature and rated as aforesaid, for the Space of Twelve Calendar Months at the least next preceding 'such last Day of *August*: And whereas Doubts have arisen how far any Misnomer or inaccurate or insuffi-'cient Description in a Rate of the Person occupying any such Premises as in the said recited Act are 'mentioned, or any inaccurate Description of the Premises so occupied, has the Effect of preventing any 'such Person from being enrolled as a Burgess and entitled to vote in respect of such Premises in any Year;' be it therefore declared and enacted, That where any Person shall have occupied such Premises as in the said recited Act are mentioned for Twelve Calendar Months next previous to the last Day of *August* in any Year, and such Person, being the Person liable to be rated for such Premises, shall have been *bonâ fide* called upon in respect of such Premises to pay and shall have *bonâ fide* paid, on or before the last Day of *August* in such Year, all Rates for the Relief of the Poor made in respect of such Premises which he would be required to pay in order to be enrolled as a Burgess for such Borough if he had been named in such Rate as the Occupier of such Premises, such Person shall be considered as having been rated to the Relief of the Poor and paid all such Rates in respect of such Premises within the Meaning of the said recited Act, and be entitled, if otherwise qualified, to be enrolled as a Burgess of such Borough in respect of such Premises in any Year, any Misnomer or insufficient Description in any Rate of the Person so occupying or of the Premises occupied notwithstanding.

XXVIII. 'And

Appeals and Applications as to Claims of Admission and Enrolment may be consolidated.

XXVIII. 'And whereas by the said first-recited Act it was enacted, that it should be lawful for any 'Person, whose Claim shall have been rejected or Name expunged at the Revision of the Burgess Roll of 'any of the said Boroughs, to apply before the End of the Term then next following to the Court of 'Queen's Bench in *Ireland*, for a Mandamus to the Mayor for the Time being of that Borough to insert 'his Name upon the Burgess Roll for such Ward as should be named in the Application, and thereupon 'for the Court to inquire into the Title of the Applicant so enrolled, and if the Court should award such 'Mandamus the Mayor should be bound to insert the Name at the End of the Burgess Roll, with the 'Addition of the Ward for which such Ward was so ordered to be inserted as therein mentioned, and 'that thereupon the Person whose Name should be so added to the Burgess Roll should be deemed a Bur-'gess, and that upon every such Application the Court should have Power to make such Order with respect 'to the Costs as to the Court shall seem fit; and by the same Act it was enacted, that the Right of every 'Person who should have been admitted and enrolled upon the Burgess Roll might be questioned by any 'Burgess by Appeal, in like Manner and subject to the like Provisions as to Costs and Alteration of the 'Roll as were therein-before contained with respect to the Appeal against the Admission of any Person 'upon the Freemen's Roll;' be it enacted, That if the Right of any Number of Persons whose Claims have been rejected or Names expunged at the Revision of any Burgess Roll shall have been determined on the same Point or Points of Law, it shall be lawful for such Persons to consolidate their Appeals to be made under the said recited Act, and to join in an Application to the Court of Queen's Bench to be made as by the said Act provided; and if the Right of any Number of Persons who shall have been admitted and enrolled upon the Burgess Roll shall be questioned by any Burgess upon the same Point or Points of Law, it shall be lawful for such Burgess to consolidate the Appeal against the Right of such Persons, and to include the Names of all such Persons in the same Application to the said Court; and the said Court shall have full Power and Authority to hear and determine on every such Application or Appeal, and make such Order thereon as such Court would have Power to do if each of such Persons whose Claims shall have been so rejected or Names expunged had made a separate Application, and as if a separate Appeal and Application had been made in respect to each of such Persons whose Right to have been admitted and enrolled upon such Burgess Roll shall be questioned; and the Order of the said Court shall, as to the respective Persons making such Application and as to the respective Persons whose Right shall be so questioned, be carried into effect and execution in like Manner as if a separate Appeal and Application had been made by or in respect of each of such Persons.

Boundary of the Borough of Waterford.

XXIX. 'And whereas it was by the said Act enacted, that every Borough in the Schedule (A.) to 'the said Act annexed should be divided into the Number of Wards mentioned in such Schedule in 'conjunction with the Name of such Borough, and that the Boundaries of the several Boroughs 'named in the said Schedule (A.) and of the Wards into which the said Boroughs named in the 'said Schedule (A.) were to be divided should, for the Purposes of the said Act, be taken to be 'according to the Description of such Boundaries set forth in Schedule (C.) to the said Act annexed: 'And whereas, according to the Description in the said Schedule (C.) of the Boundary of the West Ward 'of the Borough of *Waterford*, the whole Space comprehended within the Parliamentary Boundary of 'such Borough on the North Side of the River *Suir* is included within the said West Ward, although a 'Part of such Space is not comprehended within the general Boundary of the said Borough as described 'in the said Schedule (C.), and it is expedient to correct such Mistake;' be it therefore enacted, That the said West Ward shall be taken to include only that Part of the Space on the North Side of the River *Suir* which is comprehended in the Municipal Boundary of the said Borough of *Waterford*, as if the Words "within the Municipal Boundary" had been inserted in the Description of the Boundary of the said West Ward contained in the said Schedule (C.) instead of the Words "Parliamentary Boundary."

Acts to continue in force, except as altered.

XXX. And be it enacted, That the said recited Acts of the Third and Fourth Years of the Reign of Her present Majesty and of the Ninth Year of the Reign of King *George* the Fourth, and all Clauses, Matters, and Things respectively therein contained, (save and except such Parts thereof as are by this Act expressly varied, altered, or repealed,) shall be and the same is and are severally declared to be and continue in full Force and Effect, to all Intents and Purposes, and shall be as good, valid, and effectual as if the same and every of them were re-enacted in the Body of this Act; and all and every the Provisions of the said recited Act of the Ninth Year of the Reign of His Majesty King *George* the Fourth, for the levying and Recovery of the Rates therein mentioned, shall apply and extend to the Levy and Recovery of the Rates assessed and applotted under the Provisions of this Act.

Recited Act of 3 & 4 Vict. and this Act to be construed together.

XXXI. And be it enacted, That the said recited Act for the Regulation of Municipal Corporations in *Ireland* and this Act shall be construed together as One Act, and that the Provision made by the said Act for the Regulation of Municipal Corporations in *Ireland* for the Interpretation of certain Words and Expressions therein shall apply and extend to the like Words and Expressions in this Act.

Act may be amended, &c.

XXXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHE-

SCHEDULE to which this Act refers.

LIST of PERSONS appearing entitled to be enrolled as Burgesses of the Borough of (in the Ward of) in the Burgess Roll next to be made, in right of Inhabitancy and Occupation and Rating.

Dated this 8th September 1843. *John Thompson*, Town Clerk.

Number.	NAME.	RESIDENCE.	Situation of Qualifying Property.	Description of Property.	POOR RATE.				PAVING RATE.				And so for any other Rates or Cesses, as the Case may be.
					Amount of last Payment.	Date of last Payment.	Amount (if any) due.	Date when due.	Amount of last Payment.	Date of last Payment.	Amount (if any) due.	Date when due.	
					£ s. d.		£ s. d.		£ s. d.		£ s. d.		
1	Adams, John	3, John Street	3, John Street	House	1 5 0	1 May	1 10 0	10 June	1 2 6	10 July	—	—	
2	Albin, William	9, Park Street	6, High Street	Shop -	2 10 0	6 April	5 0 0	1 July	1 5 0	1 Jan.	1 5 0	1 July	
3	Burn, Edward	Booterstown	10, Essex Street	Warehouse.	3 5 0	1 July	- -	- -	0 15 0	10 July	—	—	
4	Casey, Patrick	Chapelizod	12, Mount Street	Shop -	3 10 0	16 Jan.	3 10 0	29 May	1 10 0	2 Feb.	1 10 0	2 May	
					Henry Johnston, Collector.				*Thos. Brown*, Collector.				

CAP. XCIV.

An Act to remove Doubts as to the Exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual. [24th *August* 1843.]

The Power acquired by Her Majesty in Countries out of Her Dominions shall be held on the same Terms as Her Majesty's Authority in the Crown Colonies.

'WHEREAS by Treaty, Capitulation, Grant, Usage, Sufferance, and other lawful Means Her Majesty hath Power and Jurisdiction within divers Countries and Places out of Her Majesty's Dominions: And whereas Doubts have arisen how far the Exercise of such Power and Jurisdiction is controlled by and dependent on the Laws and Customs of this Realm, and it is expedient that such Doubts should be removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any Power or Jurisdiction which Her Majesty now hath or may at any Time hereafter have within any Country or Place out of Her Majesty's Dominions, in the same and as ample a Manner as if Her Majesty had acquired such Power or Jurisdiction by the Cession or Conquest of Territory.

Acts done in pursuance of such Power to be of the same Effect as if done under local Laws.

II. And be it enacted, That every Act, Matter, and Thing which may at any Time be done, in pursuance of any such Power or Jurisdiction of Her Majesty, in any Country or Place out of Her Majesty's Dominions, shall, in all Courts Ecclesiastical and Temporal and elsewhere within Her Majesty's Dominions, be and be deemed and adjudged to be, in all Cases and to all Intents and Purposes whatsoever, as valid and effectual as though the same had been done according to the local Law then in force within such Country or Place.

Courts authorized to procure Evidence of such Power by Application to Secretary of State.

III. And be it enacted, That if in any Suit or other Proceedings, whether Civil or Criminal, in any Court Ecclesiastical or Temporal within Her Majesty's Dominions, any Issue or Question of Law or of Fact shall arise for the due Determination whereof it shall, in the Opinion of the Judge or Judges of such Court, be necessary to produce Evidence of the Existence of any such Power or Jurisdiction as aforesaid, or of the Extent thereof, it shall be lawful for the Judge or Judges of any such Court, and he or they are hereby authorized, to transmit, under his or their Hand and Seal or Hands and Seals, to One of Her Majesty's Principal Secretaries of State, Questions by him or them properly framed respecting such of the Matters aforesaid as it may be necessary to ascertain in order to the due Determination of any such Issue or Question as aforesaid; and such Secretary of State is hereby empowered and required, within a reasonable Time in that Behalf, to cause proper and sufficient Answers to be returned to all such Questions, and to be directed to the said Judge or Judges, or their Successors; and such Answers shall, upon Production thereof, be final and conclusive Evidence, in such Suit or other Proceedings, of the several Matters therein contained and required to be ascertained thereby.

Power to send Persons charged with Crimes for

IV. 'And whereas it may in certain Cases be expedient that Crimes and Offences committed within such Countries or Places as aforesaid should be inquired of, tried, determined, and punished within 'Her

Trial to a British Colony.

'Her Majesty's Dominions;' be it enacted, That it shall and may be lawful for any Person having Authority derived from Her Majesty in that Behalf, by Warrant under his Hand and Seal, to cause any Person charged with the Commission of any Crime or Offence the Cognizance whereof may at any Time appertain to any Judge, Magistrate, or other Officer of Her Majesty within any such Country or Place as aforesaid, to be sent for Trial to any *British* Colony which Her Majesty may by any Order or Orders in Council from Time to Time appoint in that Behalf; and upon the Arrival of such Person within such Colony it shall and may be lawful for the Supreme Court exercising Criminal Jurisdiction within the same to cause such Person to be kept in safe and proper Custody, and, so soon as conveniently may be, to inquire of, try, and determine such Crime or Offence, and upon Conviction of the Person so charged as aforesaid to correct and punish him according to the Laws in force in that Behalf within such Colony, in the same Manner as if the said Crime or Offence had been committed within the Jurisdiction of such Supreme Court: Provided always, that before any such Person shall be sent for Trial to any such Colony as aforesaid it shall be lawful for him to tender for Examination to the Judge, Magistrate, or other Officer of Her Majesty to whom the Cognizance of the Crime or Offence with which he is charged may appertain, within the Country or Place where the same may be alleged to have been committed, any competent Witness or Witnesses, the Evidence of whom he may deem material for his Defence, and whom he may allege himself to be unable to produce at his Trial in the said Colony; and the said Judge, Magistrate, or other Officer shall thereupon proceed in the Examination and Cross-examination of such Witness or Witnesses in the same Manner as though the same had been tendered at a Trial before such Judge, Magistrate, or other Officer, and shall cause the Evidence so taken to be reduced into Writing, and shall transmit a Copy of such Evidence to the Supreme Court before which the Trial of such Person is to take place, together with a Certificate under his Hand and Seal of the Correctness of such Copy; and thereupon it shall be lawful for the said Supreme Court, and it is hereby required, to allow so much of the Evidence so taken as aforesaid as would have been admissible according to the Law and Practice of the said Supreme Court, had the said Witness or Witnesses been produced and examined at the Trial before the said Court, to be read and received as legal Evidence at such Trial: Provided also, that if it shall be made to appear at such Trial that the Laws by which the Person charged with any Criminal Act would have been tried had his Trial taken place before a Judge, Magistrate, or other Officer of Her Majesty in the Country or Place in which such Act may be alleged to have been committed, vary from or are inconsistent with the Laws in force within such Colony, in respect either of the Criminality of the Act charged, or of the Nature or Degree of the alleged Crime or Offence, or of the Punishment to be awarded for the same, such Supreme Court is hereby empowered and required to admit and give effect to the Laws by which such Person would have been so tried as aforesaid, so far as but not further or otherwise than the same relate to the Criminality of such Act, or to the Nature or Degree of such Crime or Offence, or to the Punishment thereof: Provided also, that nothing herein contained shall be construed to alter or repeal any Law, Statute, or Usage by virtue of which any Crime or Offence committed out of Her Majesty's Dominions might, at the Time of the passing of this Act, be inquired of, tried, determined, and punished within Her Majesty's Dominions, or any Part thereof, but the same shall remain in full Force and Effect, any thing herein contained to the contrary notwithstanding.

Before any such Person shall be sent to any Colony for Trial he may tender any material Evidence that he would be unable to produce on Trial, and which shall be taken down and transmitted.

In case the Laws of the Place in which the Act was committed vary from those of the Colony the Court may give effect to them.

Nothing herein to alter any Law respecting Crimes committed out of Her Majesty's Dominions.

Power to send Convicts for Execution or Imprisonment to a British Colony.

V. 'And whereas it may likewise in certain Cases be expedient that the Sentences passed within such 'Countries and Places as aforesaid at the Trial of Crimes and Offences within the same should be carried 'into effect within Her Majesty's Dominions;' be it enacted, That if any Offender shall have been sentenced to suffer Death or Imprisonment for or in respect of any Crime or Offence of which such Offender shall have been lawfully convicted before any Judge, Magistrate, or other Officer of Her Majesty within any such Country or Place as aforesaid, it shall be lawful for any Person having Authority derived from Her Majesty in that Behalf, by Warrant under his Hand and Seal, to cause such Offender to be sent to any *British* Colony which Her Majesty may by any Order or Orders in Council from Time to Time appoint in that Behalf, in order that the Sentence so passed upon such Offender may be carried into effect within the same; and the Magistrates, Gaolers, and other Officers to whom it may appertain to give effect to any Sentence passed by the Supreme Court exercising Criminal Jurisdiction within such Colony are hereby empowered and required to do all Acts and Things necessary to carry into effect the Sentence so passed upon such Offender, in the same Manner as though the same had been passed by such Supreme Court.

Power to transport Convicts.

VI. And be it enacted, That if any Offender shall have been ordered or sentenced to be transported beyond the Seas by any Judge, Magistrate, or other Officer of Her Majesty within any such Country or Place as aforesaid, or, having been adjudged to suffer Death, shall have received Her Majesty's most gracious Pardon upon Condition of Transportation beyond the Seas, it shall be lawful for any Person having Authority derived from Her Majesty in that Behalf to cause such Offender to be sent to any Place beyond Seas to which Convicts may at any Time be lawfully transported from any Part of Her Majesty's Dominions, and, if there shall be no convenient Means of transporting such Offender without bringing him to *England*, to cause such Offender to be brought to *England* in order to be transported, and to be imprisoned in any Place of Confinement provided under the Authority of any Law or Statute relating to the Transportation of Offenders convicted in *England*, until such Offender shall be transported or shall become entitled to his Liberty; and as soon as any such Offender shall have arrived at the Place to which he may be transported, or, if brought to *England*, shall have been there imprisoned as aforesaid, all the Provisions, Rules, Regulations, Authorities, Powers, Penalties, Matters, and Things concerning the safe Custody, Confinement, Treatment, and Transportation of any Offender convicted in *Great Britain* shall extend and be construed to extend to such Offender as fully and effectually, to all Intents and Purposes,

as

as if such Offender had been convicted and sentenced at any Session of Gaol Delivery holden for any County in *England*.

Limitation of Actions.

VII. And be it enacted, That if any Suit or Action shall be brought in any Court within Her Majesty's Dominions against any Person or Persons for any thing done in pursuance of any such Power or Jurisdiction of Her Majesty as aforesaid or of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Six Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen out of Her Majesty's Dominions, and then within Six Months after the Plaintiff or Plaintiffs and Defendant or Defendants shall have been within the Jurisdiction of the Court in which the same may be brought; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere, except where the Cause of Action shall have arisen out of Her Majesty's Dominions; and the Defendant or Defendants shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff or Plaintiffs, or their Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for Acts done in the Execution of his Office by an Act passed in the Twenty-fourth Year of the Reign of King *George* the Second, intituled *An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants;* and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give the special Matter in Evidence; and if the Matter or Thing complained of shall appear to have been done under the Authority and in execution of any such Power or Jurisdiction of Her Majesty as aforesaid or of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than the same ought to have been brought or laid in as aforesaid, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue any Action after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be taken against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

24 G. 2. c. 44.

Repeal of Sect. 4. of 6 G. 4. c. 33. and of 6 & 7 W. 4. c. 78.

VIII. And be it enacted, That from and after the First Day of *October* in the Year One thousand eight hundred and forty-four so much of an Act passed in the Sixth Year of His late Majesty King *George* the Fourth, intituled *An Act to repeal certain Acts relating to the Governor and Company of Merchants of* England *trading to the* Levant Seas, *and the Duties payable to them; and to authorize the Transfer and Disposal of the Possessions and Property of the said Governor and Company for the Public Service*, as provides, "that from and immediately after the Enrolment of any such Deed or Instrument as therein mentioned all such Rights and Duties of Jurisdiction and Authority over His Majesty's Subjects resorting to the Ports of the *Levant*, for the Purposes of Trade or otherwise, as were lawfully exercised and performed, or which the Letters Patent or Acts by the said Act recited, or any of them, authorized to be exercised and performed, by any Consul or other Officers appointed by the said Company, or which such Consuls or other Officers lawfully exercised and performed under and by virtue of any Power or Authority whatever, should, from and after the Enrolment of such Deed or Instrument as aforesaid, be and become vested in and should be exercised and performed by such Consuls and other Officers respectively as His Majesty might be pleased to appoint for the Protection of the Trade of His Majesty's Subjects in the Ports and Places respectively mentioned in the said Letters Patent and Acts, or any or either of them;" and also that from and after the passing of this Act an Act passed in the Parliament holden in the Sixth and Seventh Years of His said late Majesty King *William* the Fourth, intituled *An Act to enable His Majesty to make Regulations for the better defining and establishing the Powers and Jurisdiction of His Majesty's Consuls in the* Ottoman *Empire*, shall be and the same are hereby repealed, save as to any Matter or Thing theretofore done under the Authority of the same respectively.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

C A P. XCV.

An Act for rendering more effective the Services of such Out-Pensioners of *Chelsea* Hospital as shall be called out to assist in preserving the Public Peace. [24th *August* 1843.]

'WHEREAS it is expedient that Her Majesty should be empowered to give Orders for organizing and equipping certain of the Out-Pensioners of the Royal Hospital at *Chelsea*, for the Purpose of rendering them more efficient when called out to assist in preserving the Public Peace;' be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty from Time to Time, by Her Warrant under the Royal Sign Manual, to order that such and so many of the Out-Pensioners of the Royal Hospital at *Chelsea*, resident within any County or other District specified in such Warrant, as to Her Majesty shall seem fit, shall be enrolled as a local Force for the Preservation of the Peace, and from Time to Time to alter the Extent of any such District, and to raise or lessen the Number of Pensioners so to be enrolled, in such Manner as to Her Majesty shall seem fit; and any Pensioner while so enrolled shall not be liable to serve on any Jury, nor to serve the Office of Constable, or any other Parochial, Township, or Borough Office: Provided always, that the whole Number of Pensioners so to be enrolled in the United Kingdom shall not at any One Time exceed

Her Majesty may order any Out-Pensioners to be enrolled as a local Force.

Number not to exceed 10,000.

exceed Ten thousand Men: Provided also, that every Out-Pensioner shall be entitled to all the Benefits of the Provisions contained in all such Orders and Regulations made by Her Majesty or Her Predecessors as were in force at the Time of his enlisting.

Staff Officers to act as Commandants *in default* of special Provision. Other Officers.

II. And be it enacted, That, in default of any special Provision to the contrary, the Staff Officers or other Persons duly appointed by the Secretary at War to pay the Out-Pensioners of *Chelsea* Hospital shall act as the Commandants of the Pensioners enrolled within their respective Districts; and it shall be lawful for Her Majesty to appoint to such Force such other Officers and Non-commissioned Officers of Her Majesty's Regular Forces or Militia, whether from Full or Half Pay or from the Pension List, as may be deemed expedient, and to put the whole or any Part of the Force under the Command of such General or other Superior Officers of Her Majesty's Regular Forces as Her Majesty shall please to appoint.

Arms and Accoutrements to be provided.

III. And be it enacted, That all or any of the Pensioners so enrolled as aforesaid may be provided with Arms, Clothing, and Accoutrements, and mustered within their respective Districts for Inspection on such Days, not exceeding Eight in each Year, as Her Majesty through One of Her Principal Secretaries of State for the Time being shall order; and it shall be lawful for such Secretary of State, or in case of Emergency any Person or Persons bearing the Warrant of the Secretary of State for that Purpose, at any Time to call out the whole or such and so many of such enrolled Pensioners as he or they may deem necessary to aid the Civil Power in the Preservation of the Public Peace within the District or within any adjoining District.

Pensioners may volunteer for Garrison Duty.

IV. And be it enacted, That whenever any of the Regular Forces of Her Majesty's Army may be removed from any of Her Majesty's Forts, Towns, or Garrisons within the United Kingdom, it shall be lawful for Her Majesty to direct that such and so many of the said Pensioners as volunteer their Services for the Purpose may be kept on Duty and Pay, for any Period not exceeding Six Calendar Months, within such Forts, Towns, or Garrisons, in the same Way as the Regular Forces of Her Majesty's Army; and any Pensioner who shall have volunteered for such Service, and shall afterwards refuse to serve, shall be liable to Forfeiture of Pension.

Secretary at War to make Regulations.

V. And be it enacted, That it shall be lawful for Her Majesty to authorize Her Secretary at War for the Time being to make Regulations for the Pay of the Officers, Non-commissioned Officers, and enrolled Pensioners, when mustered for Inspection or called out in aid of the Civil Power as aforesaid, and also in regard to their Arms, Clothing, Equipment, and Allowances, and also for the Government of the said Force, and for the Infliction of Fines and Penalties for Absence from or Misconduct during Muster or Inspection, or for the Breach of any of the said Regulations, and for the Deduction of such Fines and Penalties from any Pay or Pension which may become due to the Offender; and all Warrants and Regulations to be issued under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the Commencement of each Session; and any enrolled Pensioner who, without reasonable Excuse satisfactory to the Secretary at War, shall fail to attend when called out as aforesaid in aid of the Civil Power, shall be liable to Forfeiture of his Pension, either absolutely or for such Time as to the Secretary at War shall seem fit.

Pensioners to be subject to the Mutiny Act and Articles of War.

VI. And be it enacted, That whenever the said Pensioners shall be called out on Duty in aid of the Civil Power or for Muster or Inspection, or when any Pensioner who may have volunteered his Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, all the Provisions of any Act then in force for the punishing of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, as well with regard to billetting as in all other respects whatsoever, and also the Articles of War established or to be established by Her Majesty pursuant to the Provisions of the said Act, shall extend and apply to such Pensioners, and to the Officers and Non-commissioned Officers appointed to command them; and Offences committed by such Officers, Non-commissioned Officers, and Pensioners, or any of them, on the Occasions aforesaid, may be inquired of and tried by Court-martial assembled under the Provisions of any such Act according to the usual Discipline of Her Majesty's Army; and Courts-martial for the Trial of any such Offences may be holden, and the Punishment awarded by any such Court-martial may be inflicted, either during the Time for which the said Pensioners shall be so on Duty, or at any Time within Twelve Calendar Months after the Offence shall have been committed or the Offender shall have been apprehended.

Penalty for damaging or selling Accoutrements, &c.

VII. And be it enacted, That every Pensioner enrolled as aforesaid, who shall carelessly lose, destroy, or damage any Arms, Accoutrements, Ammunition, or Clothing provided for him or entrusted to his Charge, shall be liable to make good the same out of his Pension, together with such Penalty, not exceeding Double the Amount of such Loss or Damage, as the Secretary at War may direct; and every such enrolled Pensioner who shall wilfully damage or destroy, or who shall sell, pawn, or otherwise unlawfully dispose of any such Arms, Accoutrements, Ammunition, or Clothing, shall be liable to Forfeiture of his Pension; and any Person knowingly purchasing or receiving the same shall, on Conviction thereof, by the Oath of any credible Witness or upon his own Confession, before any Magistrate or Justice of the Peace, forfeit and pay any Sum not exceeding Five Pounds, and in default of Payment may be imprisoned for any Time not exceeding Three Calendar Months.

Field and Staff Officers exempt from Toll.

VIII. And be it enacted, That no Toll shall be demanded or taken at any Turnpike Gate or Bar, Pier, Wharf, or Landing Place, for any Horse ridden by any Field Officer or Staff Officer of Pensioners, being in Uniform, when employed on any of the Duties referred to in this Act, nor for any private or hired Vehicle necessarily used by such Officers, being in Uniform, for the Conveyance of themselves and the Books and other Documents required for the Purpose of paying the Out-Pensioners at the several Stations within the District; and any Toll Collector who shall demand and take Toll from any such Officer when so employed and in Uniform shall, on Conviction thereof, by the Oath of any credible Witness or on his own

own Confession, before a Magistrate or Justice of the Peace, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended.

C A P. XCVI.

An Act to amend the Law respecting defamatory Words and Libel. [24th *August* 1843.]

FOR the better Protection of private Character, and for more effectually securing the Liberty of the Press, and for better preventing Abuses in exercising the said Liberty, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any Action for Defamation it shall be lawful for the Defendant (after Notice in Writing of his Intention so to do, duly given to the Plaintiff at the Time of filing or delivering the Plea in such Action,) to give in Evidence, in mitigation of Damages, that he made or offered an Apology to the Plaintiff for such Defamation before the Commencement of the Action, or as soon afterwards as he had an Opportunity of doing so, in case the Action shall have been commenced before there was an Opportunity of making or offering such Apology. Offer of an Apology admissible in Evidence in mitigation of Damages.

II. And be it enacted, That in an Action for a Libel contained in any public Newspaper or other periodical Publication it shall be competent to the Defendant to plead that such Libel was inserted in such Newspaper or other periodical Publication without actual Malice, and without gross Negligence, and that before the Commencement of the Action, or at the earliest Opportunity afterwards, he inserted in such Newspaper or other periodical Publication a full Apology for the said Libel, or, if the Newspaper or periodical Publication in which the said Libel appeared should be ordinarily published at Intervals exceeding One Week, had offered to publish the said Apology in any Newspaper or periodical Publication to be selected by the Plaintiff in such Action; and that every such Defendant shall upon filing such Plea be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and be available in the same Manner and to the same Extent, and be subject to the same Rules and Regulations as to Payment of Costs and the Form of Pleading, except so far as regards the pleading of the additional Facts hereinbefore required to be pleaded by such Defendant, as if Actions for Libel had not been excepted from the personal Actions in which it is lawful to pay Money into Court under an Act passed in the Session of Parliament held in the Fourth Year of His late Majesty, intituled *An Act for the further Amendment of the Law, and the better Advancement of Justice;* and that to such Plea to such Action it shall be competent to the Plaintiff to reply generally, denying the whole of such Plea. In an Action against a Newspaper for Libel, the Defendant may plead that it was inserted without Malice and without Neglect, and may pay Money into Court as Amends. 3 & 4 W. 4. c. 42.

III. And be it enacted, That if any Person shall publish or threaten to publish any Libel upon any other Person, or shall directly or indirectly threaten to print or publish, or shall directly or indirectly propose to abstain from printing or publishing, or shall directly or indirectly offer to prevent the printing or publishing, of any Matter or Thing touching any other Person, with Intent to extort any Money or Security for Money, or any valuable Thing from such or any other Person, or with Intent to induce any Person to confer or procure for any Person any Appointment or Office of Profit or Trust, every such Offender, on being convicted thereof, shall be liable to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, for any Term not exceeding Three Years: Provided always, that nothing herein contained shall in any Manner alter or affect any Law now in force in respect of the sending or Delivery of threatening Letters or Writings. Publishing or threatening to publish a Libel, &c. with Intent to extort Money, punishable by Imprisonment and hard Labour.

IV. And be it enacted, That if any Person shall maliciously publish any defamatory Libel, knowing the same to be false, every such Person, being convicted thereof, shall be liable to be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Years, and to pay such Fine as the Court shall award. Punishment of false defamatory Libel;

V. And be it enacted, That if any Person shall maliciously publish any defamatory Libel, every such Person, being convicted thereof, shall be liable to Fine or Imprisonment, or both, as the Court may award, such Imprisonment not to exceed the Term of One Year. and of malicious defamatory Libel.

VI. And be it enacted, That on the Trial of any Indictment or Information for a defamatory Libel, the Defendant having pleaded such Plea as herein-after mentioned, the Truth of the Matters charged may be inquired into, but shall not amount to a Defence, unless it was for the Public Benefit that the said Matters charged should be published; and that to entitle the Defendant to give Evidence of the Truth of such Matters charged as a Defence to such Indictment or Information it shall be necessary for the Defendant, in pleading to the said Indictment or Information, to allege the Truth of the said Matters charged in the Manner now required in pleading a Justification to an Action for Defamation, and further to allege that it was for the Public Benefit that the said Matters charged should be published, and the particular Fact or Facts by reason whereof it was for the Public Benefit that the said Matters charged should be published, to which Plea the Prosecutor shall be at liberty to reply generally, denying the whole thereof; and that if after such Plea the Defendant shall be convicted on such Indictment or Information it shall be competent to the Court, in pronouncing Sentence, to consider whether the Guilt of the Defendant is aggravated or mitigated by the said Plea, and by the Evidence given to prove or to disprove the same: Provided always, that the Truth of the Matters charged in the alleged Libel complained of by such Indictment or Information shall in no Case be inquired into without such Plea of Justification: Provided also, that in addition to such Plea it shall be competent to the Defendant to plead a Plea Proceedings upon the Trial of an Indictment or Information for a defamatory Libel. Double Plea.

Plea of Not guilty in Civil and Criminal Proceedings.

a Plea of Not guilty: Provided also, that nothing in this Act contained shall take away or prejudice any Defence under the Plea of Not guilty which it is now competent to the Defendant to make under such Plea to any Action or Indictment or Information for defamatory Words or Libel.

Evidence to rebut primâ facie Case of Publication by an Agent.

VII. And be it enacted, That whensoever, upon the Trial of any Indictment or Information for the Publication of a Libel, under the Plea of Not guilty, Evidence shall have been given which shall establish a presumptive Case of Publication against the Defendant by the Act of any other Person by his Authority, it shall be competent to such Defendant to prove that such Publication was made without his Authority, Consent, or Knowledge, and that the said Publication did not arise from Want of due Care or Caution on his Part.

On Prosecution for private Libel, Defendant entitled to Costs on Acquittal.

VIII. And be it enacted, That in the Case of any Indictment or Information by a private Prosecutor for the Publication of any defamatory Libel, if Judgment shall be given for the Defendant, he shall be entitled to recover from the Prosecutor the Costs sustained by the said Defendant by reason of such Indictment or Information; and that upon a special Plea of Justification to such Indictment or Information, if the Issue be found for the Prosecutor, he shall be entitled to recover from the Defendant the Costs sustained by the Prosecutor by reason of such Plea, such Costs so to be recovered by the Defendant or Prosecutor respectively to be taxed by the proper Officer of the Court before which the said Indictment or Information is tried.

Interpretation of Act.

IX. And be it enacted, That wherever throughout this Act, in describing the Plaintiff or the Defendant, or the Party affected or intended to be affected by the Offence, Words are used importing the Singular Number or the Masculine Gender only, yet they shall be understood to include several Persons as well as one Person, and Females as well as Males, unless when the Nature of the Provision or the Context of the Act shall exclude such Construction.

Commencement and Extent of Act.

X. And be it enacted, That this Act shall take effect from the First Day of *November* next; and that nothing in this Act contained shall extend to *Scotland*.

CAP. XCVII.

An Act for appointing Commissioners to inquire into the Existence of Bribery in the Borough of *Sudbury*. [24th *August* 1843.]

'WHEREAS there is reason to believe that the Practice of Bribery at Elections of Members to serve in Parliament for the Borough of *Sudbury* hath long prevailed in the said Borough, and that Bribery to a great Extent hath been systematically committed there at the last Election of Members of Parliament: And whereas great Difficulty hath been hitherto experienced in obtaining complete Proof of the System of Bribery so believed to be practised and carried on there, by reason of the Contrivances of certain Parties more or less implicated in the same: And whereas it would tend to ensure a full Discovery of the said Bribery if an Inquiry should be made on the Spot by Commissioners to be specially appointed for that Purpose, and fully authorized to inquire into the Existence and Extent of such Bribery in the said Borough, and the Mode in which the same hath been practised and carried on:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by

Commissioners appointed.

the Authority of the same, That *Russell Gurney* Esquire, Barrister at Law, *John Buckle* Esquire, Barrister at Law, and *George Percy Elliott* Esquire, Barrister at Law, shall be Commissioners of Inquiry for the Purposes of this Act; and in the Case of the Death or Resignation of any One or Two of the said Commissioners, or in the event of any One or Two of them becoming incapacitated or incapable of acting, it shall be lawful for the surviving or continuing Commissioners or Commissioner to act in the Execution of this Act, as if they or he had been solely appointed to be Commissioners or a sole Commissioner for the Purposes of this Act; and all the Provisions of this Act concerning the said Commissioners shall be taken to apply to such surviving or continuing Commissioners or Commissioner.

Commissioners to be sworn.

II. And be it enacted, That every Commissioner appointed in pursuance of this Act shall, before beginning to act in the Execution of the Commission, take the following Oath before the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, or the Lord Chief Baron of the Court of Exchequer; (that is to say,)

'I *A.B.* do swear, That I will truly and faithfully execute the Powers and Trusts vested in me by an Act, intituled [*here insert the Title of this Act*], according to the best of my Knowledge and Judgment. So help me GOD.'

Secretary and Clerks to be appointed.

III. And be it enacted, That it shall be lawful for the said Commissioners to appoint, and at their Pleasure to dismiss, a Secretary, and so many Clerks, Messengers, and Officers as shall be thought necessary by One of Her Majesty's Principal Secretaries of State, for the Purpose of conducting the Inquiry directed by this Act, and to pay to the said Secretary, Clerks, Messengers, and Officers such Salaries and Allowances as shall be thought reasonable by the Commissioners of Her Majesty's Treasury.

Place of Meeting.

IV. And be it enacted, That the said Commissioners, upon their Appointment or within a reasonable Time afterwards, shall go to the Borough of *Sudbury*, and shall from Time to Time hold Meetings at some convenient Place within the said Borough or within Ten Miles thereof, and shall continue to sit from Day to Day until the said Inquiry shall be ended; and the said Commissioners of Inquiry shall give Notice of their Appointment, and of the Time and Place of holding their First Meeting, by publishing the same in some Newspaper in general Circulation in the said Borough or the Neighbourhood thereof.

V. And

Inquiry by the Commissioners.

V. And be it enacted, That the said Commissioners shall, by all such lawful Means as to them shall appear best with a view to the Discovery of the Truth, inquire into the Manner in which the last Election of Members to serve in Parliament for the said Borough has been conducted, and whether any Bribery has been committed at such Election, and if so, whether such Bribery was by way of the Gift or the Promise of the Gift of any Sum of Money or other valuable Consideration to any Voter or Voters, or to any other Person or Persons on his or their Behalf, for the Promise or the giving of his or their Vote or Votes, or for his or their refraining or promising to refrain from giving his or their Vote or Votes, at such Election, or for his or their procuring or undertaking to procure the Votes of other Electors at such Election, or whether by the Payment of any Sum of Money or other valuable Consideration whatsoever to any Voter or to any other Person on his Behalf, before, during, or after the Termination of such Election, by way of Head Money, or in compliance with any Usage or Custom in the said Borough, or how otherwise, or whether any Sum of Money or other valuable Consideration whatsoever has been paid to any Voter, or to any other Person in his Behalf, after the Termination of such Election, as a Reward for giving or for having refrained from giving his Vote at such Election; and the said Commissioners shall from Time to Time report to Her Majesty the Evidence which shall be taken by them, and what they shall find concerning the Premises, and especially the said Commissioners shall report with respect to such Election the Names of all Persons whom they shall find to have been guilty of Bribery at such Election, and as well those who shall have given Bribes for the Purchase or for the Purpose of purchasing the Votes of others as those who shall have themselves received Money or any other valuable Consideration for having given or having refrained from giving, or for the Purpose of inducing them to give or to refrain from giving, their Votes at such Election, and also the Names of all Persons whom they shall find to have given to others or to have received themselves Payments by way of Head Money or as a Reward for giving or refraining to give their Votes at such Election, and all other things whereby, in the Opinion of the said Commissioners, the Truth may be better known touching the Premises.

Reports to be laid before Parliament.

VI. And be it enacted, That every Report which the said Commissioners shall make to Her Majesty in pursuance of this Act shall be laid before Parliament within One Calendar Month next after such Report shall be made if Parliament shall be then sitting, or if not, then within One Calendar Month next after the then next Meeting of Parliament.

Power to send for Persons and Papers.

VII. And be it enacted, That it shall be lawful for the Commissioners to be appointed in pursuance of this Act, by a Summons under their Hands and Seals or under the Hand and Seal of any One of them, to require the Attendance before them, at a Time to be mentioned in the Summons, of any Person or Persons whomsoever whose Evidence shall in the Judgment of the said Commissioners be material to the Subject Matter of the Inquiry directed by this Act, and to require all Persons to bring before them such Books, Papers, Deeds, and Writings as to the said Commissioners shall appear necessary for arriving at the Truth of the Things directed to be inquired into by them under the Provisions of this Act; all which Persons shall attend the said Commissioners, and shall produce all such Books, Papers, Deeds, and Writings as shall be required of them, and which shall be in their Custody or under their Control, according to the Tenor of the Summons: Provided always, that no Person shall be compellable to answer any Question, or to produce any Book, Paper, Deed, or Writing, the Answer to which or the Production of which may criminate or tend to criminate such Person, or to expose such Person to any Pains or Penalties.

Persons implicated in Bribery, who may be examined and shall make a faithful Discovery, indemnified.

VIII. 'And whereas it may appear to the said Commissioners desirable to examine as Witnesses several 'Persons touching the Things directed to be inquired into by this Act, the Evidence of which Persons 'may tend to expose them to penal Consequences;' be it therefore enacted, That, for the more effectually prosecuting the Inquiry directed by this Act, every Person who has been engaged in any Act of Bribery at or connected with any Election of Members to serve in Parliament for the said Borough of *Sudbury*, and who shall be examined as a Witness and give Evidence before the said Commissioners touching such Bribery, and who shall upon such Examination make a true Discovery, to the best of his or her Knowledge, touching all Things to which he or she shall be so examined, shall be freed from all penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions to which he or she may have been or may become liable or subject, at the Suit of Her Majesty, Her Heirs or Successors, or any other Person, for any thing done by such Person or Persons in respect of such Bribery.

Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners.

IX. Provided always, and be it enacted, That where any Witness shall be so examined as aforesaid, such Witness shall not be indemnified under this Act unless he or she shall receive from the said Commissioners a Certificate in Writing under their Hands, stating that such Witness has upon his or her Examination made a true Disclosure touching all things to which he or she has been so examined; and if any Action, Information, or Indictment shall at any Time be pending in any Court for Bribery at the last Election for the Borough of *Sudbury* against any Person or Persons who shall have been so examined as a Witness or Witnesses in manner above mentioned, such Court shall, on the Production and Proof of such Certificate or Certificates, stay the Proceedings in any such Action, Indictment, or Information, and may, in its Discretion, award to any such Person or Persons such Costs as he, she, or they may have been put to by such Action, Information, or Indictment.

Commissioners to examine on Oath.

X. And be it enacted, That it shall be lawful for the said Commissioners or One of them to administer an Oath, or, in the Case of Persons allowed by Law to make Affirmation instead of taking an Oath, an Affirmation, to all Persons who shall be examined before them touching the things directed to be inquired into by them under the Provisions of this Act.

XI. And

Penalty for Non-attendance or refusing to give Evidence.

XI. And be it enacted, That if any Person upon whom any such Summons shall be served, by the Delivery thereof to him or her or by the leaving thereof at his or her usual Place of Abode, shall without reasonable Cause (to be allowed by the said Commissioners of Inquiry) fail to appear before them at the Time and Place mentioned in the Summons, or shall refuse to be sworn or make Affirmation (as the Case may be), or shall not make Answer to such Questions as shall be put to him or her touching the Matters directed to be inquired into by the said Commissioners, or shall refuse or fail without reasonable Cause (to be allowed by the said Commissioners) to produce and show to the said Commissioners any such Papers, Books, Deeds, or Writings, being in the Possession or under their Control, as to the said Commissioners shall appear necessary for arriving at the Truth of the Things directed to be inquired into by them as aforesaid, the said Commissioners or the greater Number of them shall have the same Powers in all respects touching any such Person so failing to appear, or refusing to be sworn or to make Affirmation, or not answering such Questions as shall be put to him or her, or refusing to produce any such Books, Papers, Deeds, or Writings as aforesaid, as any of the Superior Courts in *Westminster Hall* or any Judge of the said Courts may now by Law exercise against any Person for making default of Appearance or for refusing to be sworn or give Evidence on any Issue joined in any Action depending in any of the said Courts.

Penalty for false swearing.

XII. And be it declared and enacted, That every Person who, upon Examination upon Oath or Affirmation before the said Commissioners of Inquiry, shall wilfully give false Evidence shall be liable to the Pains and Penalties of Perjury.

Expences of the Inquiry.

XIII. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being to make an Order for the Payment of the necessary Expences of the Inquiry directed by this Act; and that every Commissioner to be appointed under this Act shall be paid at the Rate of Five Guineas for every Day that he shall be actually employed in conducting the Inquiry directed by this Act, over and above his travelling and other Expences; and the said Commissioners, after the Termination of their last Sitting, and after they shall have made their Report to Her Majesty as herein-before directed, shall lay or cause to be laid before the Commissioners of Her Majesty's Treasury for the Time being a Statement of the Number of Days they shall have been so employed, together with an Account of the travelling and other Expences of each of such Commissioners; and the said Commissioners of Her Majesty's Treasury shall make an Order for the Payment to each Commissioner of the Amount due to him in respect of the Number of Days he shall have been so employed, and in respect of his travelling and other Expences.

Limitation of Actions.

XIV. And be it enacted, That no Action shall be brought against the said Commissioners or either of them, or any other Person or Persons whomsoever, for any thing done in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing of such thing.

Act may be amended, &c.

XV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

C A P. XCVIII.

An Act for the more effectual Suppression of the Slave Trade. [24th *August* 1843.]

5 G. 4. c. 113.

'WHEREAS an Act was passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, whereby it is enacted (among other things), that it shall not be lawful (except in such special Cases as are herein-after mentioned) for any Persons to deal or trade in, purchase, sell, barter, or transfer, or to contract for the dealing or trading in, Purchase, Sale, Barter, or Transfer of Slaves or Persons intended to be dealt with as Slaves; or to carry away or remove, or to contract for the carrying away or removing of Slaves or other Persons as or in order to their being dealt with as Slaves; or to import or bring, or to contract for the importing or bringing, into any Place whatsoever, Slaves or other Persons as or in order to their being dealt with as Slaves; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transhipping, embarking, receiving, detaining, or confining on board of any Ship, Vessel, or Boat, Slaves or other Persons for the Purpose of their being carried away or removed as or in order to their being dealt with as Slaves; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transhipping, embarking, receiving, detaining, or confining on board, of any Ship, Vessel, or Boat, Slaves or other Persons for the Purpose of their being imported or brought into any Place whatsoever as or in order to their being dealt with as Slaves; or to fit out, man, navigate, equip, despatch, use, employ, let, or take to freight or on hire, or to contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting, or taking to freight or on hire, any Ship, Vessel, or Boat, in order to accomplish any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or to lend or advance, or become Security for the Loan or Advance, or to contract for the lending or advancing, or becoming Security for the Loan or Advance of Money, Goods, or Effects employed or to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or to become Guarantee or Security, or to contract for the becoming Guarantee or Security, for Agents employed or to be employed in accomplishing any of the Objects or the Contracts in relation to the Objects which Objects and Contracts have herein-before been declared unlawful; or in any other Manner to engage or to contract to engage, directly or indirectly, therein as a Partner, Agent, or otherwise; or to ship, tranship, lade, receive, or put on board, or to contract for the shipping, transhipping, lading, receiving, or putting on board of

'any Ship, Vessel, or Boat, Money, Goods, or Effects to be employed in accomplishing any of the Objects 'or the Contracts in relation to the Objects which Objects and Contracts have herein-before been 'declared unlawful; or to take the Charge or Command, or to navigate or enter and embark on board, 'or to contract for the taking the Charge or Command or for the navigating or entering and embarking 'on board, of any Ship, Vessel, or Boat, as Captain, Master, Mate, petty Officer, Surgeon, Supercargo, 'Seaman, Marine, or Servant, or in any other Capacity, knowing that such Ship, Vessel, or Boat is 'actually employed, or is in the same Voyage, or upon the same Occasion, in respect of which they 'shall so take the Charge or Command, or navigate or enter and embark, or contract so to do as afore-'said, intended to be employed in accomplishing any of the Objects or the Contracts in relation to the 'Objects which Objects and Contracts have herein-before been declared unlawful; or to insure or to 'contract for the insuring of any Slaves, or any Property, or other Subject Matter engaged or employed 'or intended to be engaged or employed in accomplishing any of the Objects or the Contracts in relation 'to the Objects which Objects and Contracts have herein-before been declared unlawful: And whereas it 'is expedient that from and after the Commencement of this Act the Provisions of the said Act herein-'before recited shall be deemed to apply to, and extend to render unlawful, and to prohibit the several 'Acts, Matters, and Things therein mentioned when committed by *British* Subjects in Foreign Coun-'tries and Settlements not belonging to the *British* Crown, in like Manner and to all Intents and Purposes 'as if the same were done or committed by such Persons within the *British* Dominions, Colonies, or 'Settlements; and it is expedient that further Provisions should be made for the more effectual Suppres-'sion of the Slave Trade, and of certain Practices tending to promote and encourage it:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Provisions of the said consolidated Slave Trade Act herein-before recited and of this present Act shall, from and after the coming into operation of this Act, be deemed to extend and apply to *British* Subjects wheresoever residing or being, and whether within the Dominions of the *British* Crown or of any Foreign Country; and all the several Matters and Things prohibited by the said consolidated Slave Trade Act or by this present Act, when committed by *British* Subjects, whether within the Dominions of the *British* Crown or in any Foreign Country, except only as is herein-after excepted, shall be deemed and taken to be Offences committed against the said several Acts respectively, and shall be dealt with and punished accordingly: Provided nevertheless, that nothing herein contained shall repeal or alter any of the Provisions of the said Act.

The recited Act and this Act shall apply to all British Subjects wherever residing.

II. And be it declared and enacted, That all Persons holden in Servitude as Pledges for Debt, and commonly called "Pawns," or by whatsoever other Name they may be called or known, shall, for the Purposes of the said consolidated Slave Trade Act, and of an Act passed in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act for the Abolition of Slavery throughout the* British *Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves*, and of this present Act, be deemed and construed to be Slaves or Persons intended to be dealt with as Slaves.

What Persons are designated by the Term Slaves.

3 & 4 W. 4. c. 73.

III. 'And whereas it is expedient to make further Provision for the Trial and Punishment of Offenders;' be it enacted, That all Offences against the consolidated Slave Trade Act or against this present Act, which shall be committed by *British* Subjects out of this United Kingdom, whether within the Dominions of the *British* Crown or in any Foreign Country, or by Foreigners within the *British* Dominions, except in Places where the *British* Admiral has Jurisdiction, may be taken cognizance of, inquired into, tried, and determined, according to the Provisions of an Act passed in the Ninth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Statutes in* England *relative to Offences against the Person.*

Trial of Offenders against the recited Act and this Act.

9 G. 4. c. 31.

IV. 'And whereas the Provisions heretofore made for the hearing and determining in *England* of 'Offences committed against the Acts for the Abolition of the Slave Trade in Places out of this United 'Kingdom have been found ineffectual, by reason of the Difficulty of proving in this Kingdom Matters 'and Things done elsewhere;' be it enacted, That in all Cases of Indictment or Information laid or exhibited in the Court of Queen's Bench for Misdemeanors or Offences committed against the said Acts or against this present Act in any Places out of the United Kingdom, and within any *British* Colony, Settlement, Plantation, or Territory, it shall and may be lawful for Her Majesty's said Court, upon Motion to be made on behalf of the Prosecutor or Defendant, to award a Writ or Writs of Mandamus, requiring the Chief Justice or other chief judicial Officer in such Colony, Settlement, Plantation, or Territory, who are hereby respectively authorized and required accordingly to hold a Court, with all convenient Speed, for the Examination of Witnesses and receiving other Proofs concerning the Matters charged in such Indictments or Informations respectively, and in the meantime to cause public Notice to be given of the holding of such Courts, and Summonses to be issued for the Attendances of Witnesses and of Agents and Counsel of the Parties; and such Examination as aforesaid shall be then and there openly and publicly taken in the said Court *vivâ voce*, upon the respective Oaths of the Persons examined, and be reduced to Writing, and be sent to Her Majesty in Her Court of Queen's Bench (in manner set forth and prescribed in an Act passed in the Thirteenth Year of *George* the Third, Chapter Sixty-three, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the* East India *Company as well in* India *as in* Europe); and such Depositions, being duly taken and returned according to the true Intent and Meaning of this Act, shall be allowed and read, and shall be deemed as good and competent Evidence as if such Witnesses had been present and sworn, and examined *vivâ voce* at any Trial for such Misdemeanors and

Evidence may be taken abroad, and transmitted to the Court of Queen's Bench.

13 G. 3. c. 63.

and Offences as aforesaid in Her Majesty's said Court of Queen's Bench, any Law or Usage to the contrary thereof notwithstanding.

In what Cases Slaves may be sold or transferred.

V. Provided always, and be it enacted, That in all the Cases in which the holding or taking of Slaves shall not be prohibited by this or any other Act of Parliament, it shall be lawful to sell or transfer such Slaves, any thing in this or any other Act contained notwithstanding.

Act not to extend to Persons obtaining Slaves by Inheritance, &c.

VI. Provided always, and be it enacted, That nothing in this Act contained shall be taken to subject to any Forfeiture, Punishment, or Penalty any Person for transferring or receiving any Share in any Joint Stock Company established before the passing of this Act in respect of any Slave or Slaves in the Possession of such Company before such Time, or for selling any Slave or Slaves which were lawfully in his Possession at the Time of passing this Act, or which such Person shall or may have become possessed of or entitled unto *bonâ fide* prior to such Sale, by Inheritance, Devise, Bequest, Marriage, or otherwise by Operation of Law.

Commencement of Act.

VII. And be it enacted, That this Act shall be deemed and taken to be in force and to have effect from and after the First Day of *November* in the Year One thousand eight hundred and forty-three, and not before.

CAP. XCIX.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and forty-three, and to appropriate the Supplies granted in this Session of Parliament. [24th *August* 1843.]

§ I. There shall be applied, for the Service of the Year 1843, £7,392,044 out of the Consolidated Fund.

II. The Treasury may cause £7,392,044 of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £7,392,044 on the Credit of this Act.

VI. The Treasury may cause Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. The Treasury to issue £47,994 12*s.* 3*d.* the Surplus of Ways and Means, and £500,000 now in the Exchequer, to complete the Aids granted for 1841 and 1842.

X. Monies coming into the Exchequer by *cc.* 5. and 27. *ante*,—£9,050,000 by Exchequer Bills under *c.* 17. *ante*,—£11,132,100 by Exchequer Bills under *c.* 87. *ante*,—and also the said £7,392,044, £47,994 12*s.* 3*d.*, and £500,000 shall be applied as hereafter expressed.

XI. There shall be issued and applied,

£6,382,990	0	0	For Naval Services, *viz.*	
1,259,697	0	0	For Wages of 39,000 Seamen and Marines, and the Ordinary and Yard Craft	To 31st *March* 1844.
620,164	0	0	For their Victuals	
125,459	0	0	For Salaries of Officers and contingent Expences of the Admiralty	
2,980	0	0	For Salaries of Officers and contingent Expences of the Registry of Merchant Seamen	
36,773	0	0	For ditto of Scientific Departments of the Navy	
124,353	0	0	For ditto of Naval Establishments at home	
23,132	0	0	For ditto abroad	
591,951	0	0	For Wages of Artificers, Labourers, and others in Naval Establishments at home	
37,490	0	0	For ditto in Naval Establishments abroad	
1,055,694	0	0	For Naval Stores, &c.	
234,868	0	0	For new Works, Improvements, and Repairs in Yards	
21,434	0	0	For Medicines and Medical Stores	
61,011	0	0	For Naval Miscellaneous Services	
746,107	0	0	For Naval Half Pay	
498,702	0	0	For Military Pensions and Allowances	
168,209	0	0	For Civil ditto	
245,429	0	0	For Freight of Transports and other Charges on account of the Army and Ordnance	
100,335	0	0	For conveying Convicts to *New South Wales*, &c.	
429,202	0	0	For Mail Packet Service	
XII. 6,619,788	0	0	For Army Services after mentioned, *viz.*	
3,619,327	0	0	For Forces at home and abroad (except *India*)	From 1st *April* 1843 to 31st *March* 1844.
165,301	0	0	For General Staff and Officers of the Hospitals at home and abroad (except *India*), and for the Garrison of the *Tower*	

	£88,075	0	0	For Allowances to principal Officers of Military Departments in *Great Britain*, their Deputies, Clerks, and contingent Expences - - - -	From 1st *April* 1843 to 31st *March* 1844.
	13,606	0	0	For Military Asylum and *Hibernian* Military School -	
	117,787	0	0	For Volunteer Corps - - - -	
	1,373	0	0	For Services for former Years - - -	
	14,451	0	0	For Rewards for Military Services and Allowances to Garrison Officers at home and abroad - -	
	89,000	0	0	For Pay of General Officers, not being Colonels of Regiments - - - -	
	64,000	0	0	For Full Pay of Reduced and Retired Officers - -	
	457,000	0	0	For Half Pay and Allowances to Reduced and Retired Officers - - - - -	
	55,925	0	0	For Half Pay and Reduced Allowances to Officers of disbanded Foreign Corps, Pensions to wounded Foreign Officers, and Allowances to Widows and Children of deceased Foreign Officers - -	
	140,760	0	0	For Pensions to Widows of Officers - -	
	118,000	0	0	For Compassionate List, Allowances as of Her Majesty's Bounty, and Pensions to wounded Officers - -	
	1,239,498	0	0	For *Chelsea* and *Kilmainham* Hospitals, &c. - -	
	41,000	0	0	For Superannuations to Persons formerly belonging to public Military Departments - - -	
	191,045	0	0	For the Commissariat Department, to the 31st *March* 1844.	
	47,945	0	0	For Half Pay, Pensions, and Allowances, to ditto.	
	155,695	0	0	For Disembodied Militia, to ditto.	
§ XIII.	1,849,142	0	0	For Ordnance Services for the Year 1843-44, *viz.*	
	124,861	0	0	For Civil Establishments at the *Tower*, *Pall Mall*, *Woolwich*, and at Out-Stations at home and abroad.	
	110,779	0	0	For Engineers, Sappers, and Miners.	
	342,467	0	0	For the Artillery, *African* Gunners at *Jamaica*, Master Gunners, Field Train, and Medical Department, and Military Academy.	
	39,465	0	0	For Salaries to Barrack Masters at home and abroad.	
	405,119	0	0	For Ordnance Works and Repairs, Clerks of Works, &c.	
	194,806	0	0	For Ordnance Surveys, Military and Civil Contingencies, and Army Extraordinaries.	
	269,000	0	0	For Ordnance and Military Store Branch.	
	167,852	0	0	For Ordnance Superannuations, Retired Allowances, Pensions, &c.	
	194,793	0	0	For Commissariat Supplies.	
XIV.	There shall be issued and applied,				
	18,182,100	0	0	To pay off Exchequer Bills charged on the Aids of 1843.	
	500,000	0	0	To discharge Supplies granted for 1842 or any preceding Year.	
XV.	1,281,211	0	0	For Holders of Opium surrendered in *China* in *March* 1839.	
	25,300	0	0	For Expences in *Canada* consequent upon the Insurrection there.	
	821,020	0	0	For the Expedition to *China*.	
XVI.	110,000	0	0	For Civil Contingencies for 1843.	
	105,636	0	0	For Public Buildings, Works, &c. heretofore charged upon the Civil List.	
	9,590	0	0	For temporary Accommodation for the Houses of Parliament, &c., to 31st *March* 1844.	
	140,000	0	0	For new Houses of Parliament, to ditto.	
	12,000	0	0	For Works in *Trafalgar Square*.	
	4,169	0	0	For *Holyhead* Harbour and *Shrewsbury* and *Holyhead* Road - - - - -	To 31st *March* 1844.
	25,376	0	0	For Public Works, Inland Navigation, and other Services in *Ireland* - - - - -	
	10,000	0	0	For Works, &c. at *Kingstown* Harbour - -	
	5,000	0	0	For the *Caledonian* Canal for 1843.	
	4,500	0	0	For *Port Patrick* Harbour.	
XVII.	67,350	0	0	For Salaries, &c. of the Houses of Parliament -	To 31st *March* 1844.
	54,700	0	0	For Salaries and Expences of the Treasury - -	
	18,800	0	0	For ditto of the Home Department - -	
	78,973	0	0	For ditto of the Foreign ditto - - -	
	22,857	0	0	For ditto of the Colonial ditto - - - -	
	32,800	0	0	For ditto of the Privy Council - - -	
	2,000	0	0	For the Lord Privy Seal - - -	
	35,493	0	0	For the Office of the Paymaster General - -	

	£ 16,413	0	0	For Salaries, &c. of the Office of the Comptroller General of the Exchequer and Paymaster of Civil Services -	To 31st *March* 1844.
	2,550	0	0	For Expences of the State Paper Office - -	
	3,200	0	0	For Ecclesiastical Commissioners - -	
	56,508	0	0	For the Poor Law Commissioners - - -	
	11,775	0	0	For Public Records - - - -	
	8,800	0	0	For Salaries, &c. of Factory Inspectors - -	
	1,815	0	0	For Salaries of certain Officers in *Scotland*, formerly paid from the Hereditary Revenue - -	
	6,464	0	0	For Salaries of Household of the Lord Lieutenant of *Ireland* - - - - - - -	
	21,376	0	0	For ditto in the Chief Secretary's Department -	
	4,937	0	0	For Paymaster of Civil Services in *Ireland* - -	
	2,400	0	0	For Public Works in *Ireland* - - -	
	39,200	0	0	For Foreign and Secret Services - - -	
	232,533	0	0	For Stationery, Printing, &c. for Public Departments and Parliament - - - - -	
	4 950	0	0	For Printing, &c. in *Ireland* - - - -	
	50,958	0	0	For Expences at the Mint - - - -	
§ XVIII.	11,300	0	0	For prosecuting Offenders against Laws relating to the Coin - - - - -	
	130,000	0	0	For Charges hitherto paid out of County Rates, for 1843.	
	16.800	0	0	For Expences of Sheriffs and Deficiency of Fees in the Remembrancer's Office, &c. - - -	To 31st *March* 1844.
	12,500	0	0	For Salaries and Expences of Insolvent Debtors Court	
	23,815	0	0	For Prison at *Parkhurst* for Juvenile Offenders -	
	25,850	0	0	For *Pentonville* Prison - - - -	
	19,000	0	0	For the Penitentiary at *Milbank*, - -	
	4,122	0	0	For confining and maintaining Criminal Lunatics -	
	6,500	0	0	For Salaries, &c. of Inspectors of Prisons - -	
	64,535	0	0	For Law Expences in *Scotland* - - -	
	61,449	0	0	For ditto in *Ireland* - - - - -	
	31,400	0	0	For *Dublin* Police - - - - -	
	5,596	0	0	For converting *Smithfield* Penitentiary, *Dublin*, into a Convict Depôt, &c.	
	83,954	0	0	For Convicts at home, *Bermuda*, and *Gibraltar*, to 31st *March* 1844.	
	300,000	0	0	For Convicts in *New South Wales* and *Van Diemen's Land*, to ditto.	
	38,000	0	0	For Law Charges to ditto.	
XIX.	50,000	0	0	For Public Education in *Great Britain* for 1843.	
	50,000	0	0	For Education in *Ireland* - -	To 31st *March* 1844.
	2,006	0	0	For Professors at *Oxford* and *Cambridge* - -	
	4,548	0	0	For the *London* University - - - -	
	7,380	0	0	For the *Scottish* Universities - - - -	
	8,928	0	0	For the Roman Catholic College, *Ireland* - -	
	300	0	0	For the Royal *Irish* Academy - - - -	
	300	0	0	For the Royal *Hibernian* Academy - -	
	5,600	0	0	For the Royal *Dublin* Society - - - -	
	1,950	0	0	For *Belfast* Academical Institution - - -	
	32,576	0	0	For the *British Museum*, for the Year ending the 25th *March* 1844.	
	37,485	0	0	For new Buildings, &c. at the *British Museum*, to 31st *March* 1844.	
	5,275	0	0	For purchasing Collections for ditto.	
	1,600	0	0	For the National Gallery, for 1843.	
	2,008	0	0	For the Museum of Economic Geology - -	To 31st *March* 1844.
	4,000	0	0	For Observatories at *Toronto*, *Saint Helena*, and *Cape of Good Hope*, and other Works and Publications -	
	4,411	0	0	For the School of Design, and Aid to Provincial Schools - - - - - -	
	1,500	0	0	For Monuments to the Memory of Sir *Sydney Smith*, Lord *Exmouth*, and Lord *De Saumarez*.	
XX.	3,410	0	0	For the Civil Establishment of the *Bahama Islands* -	To 31st *March* 1844.
	4,049	0	0	For ditto of the *Bermudas* - - - -	
	3,070	0	0	For ditto of *Prince Edward's Island* - - -	
	400	0	0	For Establishment at *Sable Island* for Relief of shipwrecked Persons - - - - -	
	13,680	0	0	For Civil Establishment on the Western Coast of *Africa*	
	11,500	0	0	For ditto of *Saint Helena*, and for Pensions and Allowances to Civil and Military Officers of the *East India* Company's late Establishment in that Island -	

	£7,785	0	0	For Settlement of *Western Australia*	To 31st *March* 1844.
	1,468	0	0	For ditto of *Port Essington*	
	4,350	0	0	For ditto of the *Falkland Islands*	
	61,093	0	0	For *New Zealand*	
	1,023	0	0	For the Civil Establishment of *Heligoland*	
	18,667	0	0	For Salaries of the Governors, &c. in the *West Indies*	
	12,190	0	0	For Ecclesiastical Establishments in *North America* and *New Zealand*	
	18,895	0	0	For the *Indian* Department in *Canada*	
	11,286	0	0	For the Colonial Land and Emigration Board	
	49,700	0	0	For Salaries, &c. to Stipendiary Justices in the Colonies	
	18,000	0	0	For educating emancipated Negroes in 1843.	
	35,000	0	0	For Support of captured Negroes, to 31st *March* 1844.	
	23,000	0	0	For Commissioners for preventing Traffic in Slaves, to ditto.	
	104,770	0	0	For Salaries of Consuls, to ditto.	
	3,500	0	0	For Bills drawn from *South Australia*.	
§ XXI.	81,300	0	0	For Allowances and Compensations to Persons formerly in Public Offices or in the Public Service	To 31st *March* 1844.
	6,700	0	0	For *Toulonese* and *Corsican* Emigrants, *Dutch* Naval Officers Widows, *Saint Domingo* Sufferers, *American* Loyalists, &c.	
	1,850	0	0	For the Vaccine Institution, for 1843.	
	3,000	0	0	For the Refuge for the Destitute, for 1843.	
	12,600	0	0	For *Polish* Refugees and distressed *Spaniards*	To 31st *March* 1844.
	4,840	0	0	For Protestant Dissenting Ministers, poor *French* Refugee Clergy, Laity, &c.	
	2,154	0	0	For Charities and other Charges in *Scotland*	
	7,597	0	0	For the Foundling Hospital in *Dublin*	
	13,973	0	0	For the House of Industry in *Dublin*	
	1,000	0	0	For the Female Orphan House in *Dublin*	
	2,500	0	0	For the *Westmoreland* Lock Hospital	
	1,000	0	0	For the Lying-in Hospital	
	1,500	0	0	For Dr. *Steven's* Hospital	
	3,000	0	0	For the Fever Hospital and House of Recovery	
	500	0	0	For the Hospital for Incurables	
	700	0	0	For Charity Commissioners in *Ireland*	
	35,630	0	0	For Protestant Dissenting Ministers in *Ireland*	
	7,475	0	0	For Charitable Allowances in *Ireland*	
XXII.	650	0	0	For Inquiry into the Condition of Persons employed in Mines.	
	5,000	0	0	For Townland Survey of *Ireland*, to 31st *March* 1844.	
	3,421	0	0	For Improvements of the *Shannon*, to ditto.	
	3,892	0	0	For Works, &c. at the *British* Ambassador's House at *Paris*.	
	10,000	0	0	For rebuilding the *British* Ambassador's House at *Constantinople*.	
	50,000	0	0	For Steam Communication to *India*, to 31st *March* 1844.	
	5,000	0	0	For the Commission for Public Health.	
	7,000	0	0	For the Commission for Poor Laws in *Scotland*.	
	4,903	16	5	For Interest to Holders of forged Exchequer Bills.	

XXIII. Supplies to be applied only for the Purposes aforesaid.

XXIV. Rules to be observed in the Application of the Sum appropriated to Half Pay. This Act not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, Yeomanry or Volunteers. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament.

XXV. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXVI. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required by 5 & 6 *Vict. c.* 121., indemnified.

XXVII. Half Pay allowed to the Officers of the *Manx* Fencibles.

XXVIII. Half Pay Allowances to Chaplains of Regiments not being in possession of Ecclesiastical Benefices derived from the Crown.

XXIX. The Surplus of the Sum appropriated to Half Pay by 5 & 6 *Vict. c.* 121. authorized to be disposed of to maimed or meritorious Officers, or their Widows or Children, as Her Majesty shall direct.

XXX. Widows and Persons claiming Pensions shall make the required Declaration.

XXXI. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N.B.—*The Continuance of such of the following Acts as are temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

(*a*) *For* 31 *Years, &c.* [i. e. *to the End of the next Session*] *from a Day named in the Act.*
(*b*) *For* 31 *Years, &c. from the passing of the Act.*

The following are all PUBLIC ACTS; *to each of which is annexed a Clause in the Form following:*

"And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and "shall be judicially noticed as such."

Cap. i.

AN Act for regulating legal Proceedings by or against "The *Cambrian* Iron and Spelter Company," and for granting certain Powers thereto. [3d *April* 1843.]

Cap. ii.

An Act for lighting the Streets and public Roads within the Town and County of the Town of *Nottingham*. [3d *April* 1843.]

[2 *G.* 3. *c.* 47. *and* 1 *&* 2 *G.* 4. *c.* lxx. *repealed*, § 1.]

Cap. iii.

An Act to authorize certain Alterations in the Works of the *Warwick and Leamington Union* Railway, and to confirm the Purchase thereof by the *London and Birmingham* Railway Company, and to enable that Company to raise a further Sum of Money, and to convert their Shares into Stock. [3d *April* 1843.]

Cap. iv.

An Act to amend the Acts relating to the *Lancaster and Preston Junction* Railway. [3d *April* 1843.]

[*Powers of* 7 *W.* 4. *&* 1 *Vict. c.* xxxii. *and* 3 *&* 4 *Vict. c.* iv. *(except as altered) extended to this Act*, § 1.]

Cap. v.

An Act to enable the Company of Proprietors of the *Staffordshire* and *Worcestershire* Canal Navigation to lend certain Sums of Money to the Commissioners for the Improvement of the Navigation of the River *Severn*, and to guarantee the Repayment of the Amount of any Loans which any other Persons or Bodies shall make to such Commissioners, and to guarantee the Performance of Contracts into which such Commissioners shall enter, and to borrow Money for such Purposes. [3d *April* 1843.]

Cap. vi.

An Act for authorizing the Sale and Application of certain Property vested in the Commissioners for making the River *Thames* navigable from *Bercot* in the County of *Oxford* to the University and City of *Oxford*. [11th *April* 1843.]

[*Powers of* 21 *Jac.* 1. *c.* 32. *(except as altered) extended to this Act*, § 1.]

Cap. vii.

An Act to enable "The *Hull and Selby* Railway Company" to raise a further Sum of Money; and to amend the Act relating to the said Railway. [11th *April* 1843.]

[*Powers of* 6 *&* 7 *W.* 4. *c.* lxxx. *(except as altered) extended to this Act*, § 1.]

Cap. viii.

An Act to authorize certain Alterations in a Portion of the Line of the *Great North of England* Railway, and for vesting the same in the *Newcastle and Darlington Junction* Railway Company. [11th *April* 1843.]

[*Powers of* 5 *&* 6 *Vict. c.* lxxx. *and* 5 *&* 6 *Vict. c.* lxxxiv. *(except as altered) extended to this Act*, § 1.]

Cap. ix.

An Act to increase the Capital of the *Sheffield, Ashton-under-Lyne, and Manchester* Railway Company, and to alter and enlarge the Powers of the said Company. [11th *April* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* xxi. *and* 5 & 6 *Vict. c.* xviii. (*except as altered*) *extended to this Act*, § 1.]

Cap. x.

An Act for making a Railway from the *Great Western* Railway to the City of *Oxford*. [11th *April* 1843.]

Cap. xi.

An Act for better supplying with Water the Town and Parish of *Chepstow*, and the Parish of *Saint Arvans* adjoining thereto, all in the County of *Monmouth*. [11th *April* 1843.]

Cap. xii.

An Act for removing the present Markets held in the County of the Borough of *Carmarthen*, and for providing other Market Places, and regulating the Markets to be held therein. [11th *April* 1843.]

Cap. xiii.

An Act for extending the Powers of the Commissioners of the Township of *Birkenhead* in the County of *Chester*, and for including the Township of *Claughton-cum-Grange* and Part of the Township of *Oxton* in the same County within their Jurisdiction. [11th *April* 1843.]

[*Powers of* 3 & 4 *W.* 4. *c.* lxviii. 1 & 2 *Vict. c.* xxxiii. *and* 5 & 6 *Vict. c.* v. (*except as altered*) *extended to this Act*, § 1.]

Cap. xiv.

An Act for more effectually lighting with Gas the Borough of *Bolton*, and certain Places adjacent thereto, in the County of *Lancaster*. [11th *April* 1843.]

[1 *G.* 4. *c.* lvii. *repealed*, § 1.]

Cap. xv.

An Act for providing additional Grounds to the Lunatic Asylum of the County Palatine of *Lancaster*. [11th *April* 1843.]

[*Powers of* 9 *G.* 4. *c.* xl. (*except as altered*) *extended to this Act*, § 1.]

Cap. xvi.

An Act for more effectually repairing the Road from the Town of *Cockermouth* to the Town of *Maryport*, and other Roads therein mentioned, and for making a Branch Road connected therewith, all in the County of *Cumberland*. (*a*) [11th *April* 1843.]

[6 *G.* 4. *c.* lxxxv. *repealed*, § 1. *Persons having paid Toll to return Toll-free*, § 21. *One Toll only to be taken on same Day for passing between Cockermouth and Maryport, or between Maryport and Allonby, and Two only between Allonby and Wigton, and One only between Workington and Maryport, and Two only between Sandrow and Maryport, and One only between West Newton and the Carlisle Road upon Moota, and from the Cockermouth and Maryport Road to the Wigton and Maryport Road*, § 22. *Extra Weight to pay double Toll between* 1*st November and* 1*st April*, § 25. *No more Money to be laid out in repairing Roads than is collected thereon*, § 29. *Tolls not to be taken or laid out for Improvement of Towns*, § 30.]

Cap. xvii.

An Act for transferring to the Mayor, Aldermen, and Burgesses of the Borough of *Manchester* certain Powers and Property now vested in the Commissioners for cleansing, lighting, watching, and regulating the Town of *Manchester*. [9th *May* 1843.]

Cap. xviii.

An Act for enabling the *Cromford and High Peak* Railway Company to grant Mortgages for Part of their floating Debts; and for amending the Act relating to such Railway. [9th *May* 1843.]

[*Powers of* 6 *G.* 4. *c.* xxx. (*except as altered*) *extended to this Act*, § 1.]

Cap. xix.

An Act to amend an Act relating to the building of the *Hungerford* and *Lambeth* Suspension Foot Bridge; and for granting further Powers to the *Hungerford* and *Lambeth* Suspension Foot Bridge Company. [9th *May* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* cxxxiii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xx.

An Act to enlarge the Powers of the *Ipswich* Dock Commissioners. [9th *May* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* lxxiv. *and* 4 & 5 *Vict. c.* lii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxi.

An Act to amend an Act of the Second Year of Her present Majesty's Reign, for better lighting with Gas the Town of *Brighton*, and the several Places therein mentioned, in the County of *Sussex*. [9th *May* 1843.]

[*Powers of* 2 & 3 *Vict. c.* xxxviii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxii.

An Act for granting further Powers to the Imperial Continental Gas Association. [9th *May* 1843.]

[*Powers of* 3 & 4 *W.* 4. *c.* lxiii. *and* 6 & 7 *W.* 4. *c.* lv. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxiii.

An Act for better supplying with Water the Town of *Saint Helens* and several Hamlets and Places adjacent thereto, all in the Parish of *Prescot* in the County Palatine of *Lancaster*. [9th *May* 1843.]

Cap. xxiv.

An Act for establishing a Cemetery in *Birkenhead* and *Claughton-cum-Grange*, or One of them, in the County of *Chester*. [9th *May* 1843.]

[*Powers of* 3 & 4 *W.* 4. *c.* lxviii. 1 & 2 *Vict. c.* xxxiii. *and* 5 & 6 *Vict. c.* v. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxv.

An Act for better raising and securing the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. [9th *May* 1843.]

[47 *G.* 3. *c.* lxxxv. *repealed*, § 1.]

Cap. xxvi.

An Act for repairing and improving certain Roads in the Neighbourhood of *Trentham* and *Stone* in the County of *Stafford*, and for making and maintaining a new Road from *Trentham* Inn to the *Newcastle-under-Lyme* and *Market Drayton* Turnpike Road in the same County, and another new Piece of Road in the Parish of *Trentham* aforesaid. [9th *May* 1843.]

[32 *G.* 3. *c.* 157. *and* 54 *G.* 3. *c.* lxi. *repealed*, § 1. *Two full Tolls only to be taken for passing and repassing on same Day through all the Gates on the First District, and One only on the Second District*, § 22. *Persons having paid Toll to return Toll-free*, § 23. *No more Money to be laid out in repairing Roads than is collected thereon*, § 33. *Money not to be laid out or Tolls taken in Towns*, § 34. *Act to commence on the First Monday after its passing, and continue in force for* 21 *Years*, § 38.]

Cap. xxvii.

An Act to enable the *London and Brighton* Railway Company to raise a further Sum of Money; and for altering and amending the Act relating to such Railway. [31st *May* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* cxix. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxviii.

An Act to enable the *Northern and Eastern* Railway Company to make an Extension of their present Railway; and to alter and amend the Acts relating to the said Railway. [31st *May* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* ciii. 2 & 3 *Vict. c.* lxxvii. 2 & 3 *Vict. c.* lxxviii. 3 & 4 *Vict. c.* lii. 4 & 5 *Vict. c.* xxiv. *and* 4 & 5 *Vict. c.* xlii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxix.

An Act to extend the Powers and Provisions of an Act passed in the last Session of Parliament, intituled *An Act for improving the Navigation of* Faversham Creek *in the County of* Kent. [31st *May* 1843.]

[*Powers of* 5 & 6 *Vict. c.* xlii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxx.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act for lighting with Gas the Town and Neighbourhood of *Leeds* in the Borough of *Leeds* in the West Riding of the County of *York*. [31st *May* 1843.]

[*Powers of* 58 *G.* 3. *c.* lvi. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxxi.

An Act for better lighting with Gas the Town and Borough of *Newport* in the County of *Monmouth*. [31st *May* 1843.]

Cap. xxxii.

An Act to enable "The Company of Proprietors of the *Preston* Waterworks" to raise a further Sum or Sums of Money; to alter and amend the Act incorporating the said Company, and to extend and enlarge their Powers. [31st *May* 1843.]

[*Powers of* 2 & 3 *W.* 4. *c.* xxvii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxxiii.

An Act for the Improvement of the *Norland* Estate in the Parish of *Saint Mary Abbotts Kensington* in the County of *Middlesex*. [31st *May* 1843.]

Cap. xxxiv.

An Act for making further Provision for paving, lighting, cleansing, regulating, repairing, and improving the Streets, Highways, and other public Places in the Parish of *Saint Matthew Bethnal Green*, and for paving such Parts of *Old Cock Lane* and *York Street* as are in the Parish of *Saint Leonard Shoreditch* in the County of *Middlesex*. [31st *May* 1843.]

[24 *G.* 2. *c.* 26. *and Part of* 53 *G.* 3. *c.* cxiii. *repealed*, § 1. *Powers of* 33 *G.* 3. *c.* 88. (*except as altered*) *extended to this Act*, § 2.]

Cap. xxxv.

An Act for paving, lighting, cleansing, watering, regulating, and otherwise improving the Town of *Portsea* in the County of *Southampton*, and for removing and preventing Nuisances and Annoyances therein. [31st *May* 1843.]

[32 *G.* 3. *c.* 103. *and* 7 *G.* 4. *c.* lxiv. *repealed*, § 1.]

Cap. xxxvi.

An Act for amending the Act establishing "The *London* Cemetery Company." [31st *May* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* cxxxvi. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxxvii.

An Act for altering, amending, and enlarging the Powers and Provisions of an Act passed in Her present Majesty's Reign, for the better Drainage of Lands in *Bourn North Fen* and *Dyke Fen* in the Manor and Parish of *Bourn* in the County of *Lincoln*, and for other Purposes concerning the Drainage of the same Lands. [31st *May* 1843.]

[*Powers of* 4 & 5 *Vict. c.* cxiii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xxxviii.

An Act for regulating legal Proceedings by or against the *Anderton* Carrying Company. [31st *May* 1843.]

Cap. xxxix.

An Act for more effectually maintaining, improving, and repairing the Road leading from the South End of the New Bridge of *Glasgow*, by or near *Park House*, to *Three Mile House* in the County of *Lanark*. (*b*) [31st *May* 1843.]

[26 *G.* 2. *c.* 90. 27 *G.* 2. *c.* 27. 14 *G.* 3. *c.* 105. 34 *G.* 3. *c.* 140. 39 & 40 *G.* 3. *c.* xciv. 1 & 2 *G.* 4. *c.* lxxxvii. *and* 2 & 3 *Vict. c.* l. *wholly or in part repealed*, § 1. *Powers of* 1 & 2 *W.* 4. *c.* 43. (*except as altered*) *extended to this Act*, § 3.]

Cap. xl.

An Act for amending the several Acts relating to the Harbour of *Scarborough* in the North Riding of the County of *York*, and for improving the said Harbour. [27th *June* 1843.]

[*The Acts* 5 *G.* 2. *c.* 11. 25 *G.* 2. *c.* 44. 3 *G.* 3. *c.* 42. 18 *G.* 3. *c.* 20. 41 *G.* 3. *c.* lxix. 46 *G.* 3. *c.* xxxiii. 3 *G.* 4. *c.* xxii. *and* 4 *G.* 4. *c.* xx. *to expire on* 1*st August* 1844, *and this Act to commence*, § 1.]

Cap. xli.

An Act for improving, maintaining, and regulating the Harbour of *Wexford* in the County of *Wexford*. [27th *June* 1843.]

[34 *G.* 3. (*I.*) *and* 53 *G.* 3. *c.* clviii. *repealed as far as they relate to the Harbour*, § 1.]

Cap. xlii.

An Act for erecting and maintaining a Pier in *Pile* Harbour in the Parish of *Dalton-in-Furness* in the County Palatine of *Lancaster*. [27th *June* 1843.]

Cap. xliii.

An Act for making a Railway from *Lamellion Bridge* in the Parish of *Liskeard* to *Tokenbury Corner* in the Parish of *Linkinhorne*, with a Branch Railway from *Crow's-nest* to *Cheesewring*, all in the County of *Cornwall*. [27th *June* 1843.]

Cap. xliv.

An Act to provide for the more effectual Execution of the Office of a Justice of the Peace within the Parish of *Merthyr Tidvil* and certain adjoining Parishes. [27th *June* 1843.]

Cap. xlv.

An Act for further improving and maintaining the Harbour of *Saltcoats* in the County of *Ayr*. [27th *June* 1843.]

[1 & 2 *G.* 4. *c.* xcviii. *repealed*, § 1.]

Cap. xlvi.

An Act for enabling the *Clarence* Railway Company to make an Issue of new Shares, and for otherwise altering and amending, enlarging and extending, some of the Provisions of the Acts relating to the said Railway. [27th *June* 1843.]

[*Powers of* 9 *G.* 4. *c.* lxi. 10 *G.* 4. *c.* cvi. 2 & 3 *W.* 4. *c.* xxv. 3 & 4 *W.* 4. *c.* iv. 3 & 4 *W.* 4. *c.* xcv. 7 *W.* 4. & 1 *Vict. c.* ciii. *and* 1 & 2 *W.* 4. *c.* xxiv. (*except as altered*) *extended to this Act*, § 1.]

Cap. xlvii.

An Act for improving and regulating the Navigation of the River *Forth* from *Alloa* to *Stirling*, and Works connected therewith; and for other Purposes relating thereto. [27th *June* 1843.]

Cap. xlviii.

An Act for repairing the Road from *Dundalk* in the County of *Louth* to *Bannbridge* in the County of *Down*, so far as relates to the Northern Division of the said Road. [27th *June* 1843.]

[23 & 24 *G.* 3. *c.* 27. *and* 1 & 2 *G.* 4. *c.* cvi. *repealed so far as they relate to the Northern Division*, § 1. *The Royal Family; Materials for Roads and Bridges; Surveyor when engaged in executing the Act; Horses, &c going to or returning from Plough, Harrow, or Pasture, if the Distance does not exceed Two Miles on the Road; Persons going to or returning from public Worship; Soldiers on March or Duty; public Stores; and Volunteer Infantry and Cavalry, exempted from Toll*, § 28. *Act to commence from its passing, and continue in force for Twenty-one Years*, § 138.]

Cap. xlix.

An Act to amend the Acts relating to "The *Glasgow, Paisley, and Greenock* Railway Company," and to grant further Powers to the said Company. [27th *June* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* cxvi. 3 & 4 *Vict. cc.* cvii. cxxiii. *and* 4 & 5 *Vict. c.* v. (*except as altered*) *extended to this Act*, § 1.]

Cap. l.

An Act to enable the *Ballochney* Railway Company to make and maintain certain new Works; and in some respects to alter and amend the Provisions of the Acts relating to the said Railway. [27th *June* 1843.]

[*Powers of* 7 *G.* 4. *c.* xlviii. 5 & 6 *W.* 4. *c.* xcvii. *and* 2 & 3 *Vict. c.* lix. (*except as altered*) *extended to this Act*, § 1.]

Cap. li.

An Act to enable the *South-eastern* Railway Company to extend the Line of their Railway into the Town of *Dover*; and to confer other Powers and Privileges on the said Company. [27th *June* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* lxxv. 7 *W.* 4. & 1 *Vict. c.* xciii. 2 & 3 *Vict. cc.* xlii. lxxix. 3 & 4 *Vict. c.* xlvi. *and* 5 & 6 *Vict. c.* iii. (*except as altered*) *extended to this Act*, § 1.]

Cap. lii.

An Act to enable the *South-eastern* Railway Company to make a Branch Railway to the Town of *Maidstone*. [27th *June* 1843.]

[*Powers of former Acts* (*except as altered*) *extended to this Act*, § 2.]

Cap. liii.

An Act to enable the *Birmingham and Gloucester* Railway Company to raise a further Sum of Money; and for amending the Acts relating to the said Company. [27th *June* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* xiv. *and* 7 *W.* 4. & 1 *Vict. c.* xxvi. (*except as altered*) *extended to this Act*, § 1.]

Cap. liv.

An Act for amending the Acts relating to the *Bristol and Gloucester* Railway, and for making a Branch Railway out of the same. [27th *June* 1843.]

[*Powers of* 9 *G.* 4. *c.* xciii. 4 *&* 5 *W.* 4. *c.* ii. 2 *&* 3 *Vict. c.* lvi. *and* 5 *&* 6 *Vict. c.* xlvi. (*except as altered*) *extended to this Act,* § 1.]

Cap. lv.

An Act for amending the Acts for making and maintaining the *Edinburgh* and *Glasgow* Union Canal; and for conferring further Powers on the Company of Proprietors thereof. [27th *June* 1843.]

[*Powers of* 57 *G.* 3. *c.* lvi. 59 *G.* 3. *c.* xxix. 1 *&* 2 *G.* 4. *c.* cxxii. 4 *G.* 4. *c.* xviii. 7 *G.* 4. *c.* xlv. *and* 4 *&* 5 *Vict. c.* lix. (*except as altered*) *extended to this Act,* § 1.]

Cap. lvi.

An Act to amend Two several Acts, for improving the Port and Harbour of *Belfast.* [27th *June* 1843.]

[*Powers of* 7 *W.* 4. *&* 1 *Vict. c.* lxxvi. *and* 4 *&* 5 *Vict. c.* xlviii. (*except as altered*) *extended to this Act,* § 1.]

Cap. lvii.

An Act for the Regulation of Lastage and Ballastage in the River *Thames.* [27th *June* 1843.]

[*The Acts* 45 *G.* 3. *c.* xcviii. *and* 49 *G.* 3. *c.* clv. *and so much of* 3 *G.* 4. *c.* cxi. *as relates to Lastage and Ballastage, repealed,* § 1.]

Cap. lviii.

An Act for the better supplying and lighting with Gas the City and Suburbs of *Glasgow* and Places adjacent, and for other Purposes relating thereto. [27th *June* 1843.]

Cap. lix.

An Act for amending and enlarging the Powers and Provisions of an Act for paving or flagging, lighting, cleansing, watching, regulating, and improving the Town of *Leamington Priors* in the County of *Warwick,* and for establishing a Market therein. [27th *June* 1843.]

[*Powers of* 6 *G.* 4. *c.* cxxxiii. (*except as altered*) *extended to this Act,* § 1.]

Cap. lx.

An Act for better paving, lighting, and otherwise improving the Hamlet of *Kentish Town* and its Vicinity, in the Parish of *Saint Pancras* in the County of *Middlesex.* [27th *June* 1843.]

[4 *&* 5 *Vict. c.* lxvii. *repealed,* § 1.]

Cap. lxi.

An Act for regulating Hackney Coaches and other Carriages, Boats and Wherries, within the several Parishes of *Saint Andrew* and *Charles* in the Borough of *Plymouth,* the Parish of *East Stonehouse* and the Parish of *Stoke Damerel* in the Borough of *Devonport,* and for amending Two several Acts for repairing certain Roads leading from the Borough of *Plymouth* aforesaid to *Stonehouse Bridge* and *Plymouth Dock,* all in the County of *Devon.* [27th *June* 1843.]

[45 *G.* 3. *c.* xxxiv. *and* 3 *G.* 4. *c.* li. *repealed after 29th September* 1843, § 1.]

Cap. lxii.

An Act to enable the *South-eastern* Railway Company, in conjunction with the *London and Croydon* Railway Company, to make a Railway from the *London and Croydon* Railway to *Swan Street,* near the *Bricklayers Arms* in the *Old Kent Road,* and to provide a new Station there. [4th *July* 1843.]

[*Powers of* 6 *W.* 4. *c.* lxxv. 7 *W.* 4. *&* 1 *Vict. c.* xciii. 2 *&* 3 *Vict. cc.* xlii. lxxix. 3 *&* 4 *Vict. c.* xlvi. *and* 5 *&* 6 *Vict. c.* iii. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxiii.

An Act for making a Railway with other necessary Works to connect certain Coal Fields in the Parishes of *Old Monkland* and *Bothwell* in the County of *Lanark* with the *Monkland* Canal. [4th *July* 1843.]

Cap. lxiv.

An Act for making a Branch Railway from the *London and Birmingham* Railway to *Northampton* and *Peterborough.* [4th *July* 1843.]

[*Powers of* 3 *&* 4 *W.* 4. *c.* xxxvi. 5 *&* 6 *W.* 4. *c.* lvi. 7 *W.* 4. *&* 1 *Vict. c.* lxiv. *and* 2 *&* 3 *Vict. c.* xxxix. (*except as altered*) *extended to this Act,* § 3.]

Cap. lxv.

An Act to convert the Shares in the Capital authorized to be raised by the Acts for making a Dock or Docks at *Southampton* into Stock; to raise a further Sum of Money; and to alter and amend some of the Powers of the said Acts. [4th *July* 1843.]

[*Powers of* 6 & 7 *W.* 4. *c.* xxix. *and* 1 & 2 *Vict. c.* lxii. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxvi.

An Act for amending and rendering more effectual several Acts for draining and preserving certain Fen Lands and Low Grounds in the *Isle of Ely* and Counties of *Norfolk* and *Suffolk*, near *Mildenhall* River, so far as relates to the several Lands in the Second District therein described; and for extending the Limits of the said Second District. [4th *July* 1843.]

[*Powers of* 32 *G.* 2. *c.* 32. *and* 47 *G.* 3. *sess.* 2. *c.* 1. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxvii.

An Act to establish a Cemetery for the Interment of the Dead near the Town and within the Borough of *Southampton.* [4th *July* 1843.]

Cap. lxviii.

An Act for better cleansing, sewering, and draining the Town of *Topsham* in the County of *Devon*, and for other Purposes connected therewith. [4th *July* 1843.]

Cap. lxix.

An Act to provide for the Improvement of the Town and Harbour of *Borrowstounness* in the County of *Linlithgow*; for paving, lighting, and cleansing the Streets of the said Town; and for regulating the Police thereof. [4th *July* 1843.]

[17 *G.* 2. *c.* 21. 7 *G.* 3. *c.* 90. 34 *G.* 3. *c.* 91. *and* 56 *G.* 3. *c.* xxxvi. *repealed,* § 1.]

Cap. lxx.

An Act for altering and enlarging the Powers of the Act relating to the *Maryport and Carlisle* Railway. [12th *July* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* ci. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxxi.

An Act for improving and maintaining the Port or Harbour of *Neath* in the County of *Glamorgan.* [12th *July* 1843.]

[39 & 40 *G.* 3. *c.* cvii. *repealed,* § 1.]

Cap. lxxii.

An Act for improving and maintaining the Harbour of *Aberdeen.* [12th *July* 1843.]

[10 *G.* 4. *c.* xxxiv. *repealed,* § 1.]

Cap. lxxiii.

An Act for better supplying with Water the Borough of *Kingston-upon-Hull.* [12th *July* 1843.]

Cap. lxxiv.

An Act for more effectually supplying with Water the Town of *Bolton*, and several Townships adjacent thereto, in the County of *Lancaster.* [28th *July* 1843.]

[5 *G.* 4. *c.* cxxx. *repealed,* § 1.]

Cap. lxxv.

An Act for enabling the Commissioners for paving and sewering the Town of *Liverpool* more effectually to water the Streets of the said Town, and to provide Water for extinguishing Fires therein. [28th *July* 1843.]

[*Powers of* 11 *G.* 4. & 1 *W.* 4. *c.* xv. *and* 5 & 6 *Vict. c.* xxvi. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxxvi.

An Act for draining, embanking, and improving the Fen Lands and Low Grounds within the Parishes, Hamlets, Townships, or Places of *Bardney*, *Southrow* otherwise *Southry*, *Tupholme*, *Buchnall*, *Horsington*, *Stixwould*, *Edlington*, and *Thimbleby*, in the County of *Lincoln.* [28th *July* 1843.]

Cap. lxxvii.

An Act for amending several Acts relating to *Londonderry Bridge.* [28th *July* 1843.]

[*Powers of* 30 *G.* 3. *c.* 31. (*I.*) 40 *G.* 3. *c.* 41. (*I.*) 54 *G.* 3. *c.* ccxxx. 2 & 3 *W.* 4. *c.* cvii. 5 & 6 *W.* 4. *c.* lxxiv. *and* 1 & 2 *Vict. c.* xxxii. (*except as altered*) *extended to this Act,* § 1.]

Cap. lxxviii.

An Act for better paving, lighting, cleansing, and improving the Town and Borough of *Northampton*. [28th *July* 1843.]

[54 *G.* 3. *c.* cxciii. *repealed*, § 1.]

Cap. lxxix.

An Act to make, complete, maintain, and incorporate with the *Monkland and Kirkintilloch* Railway Two improved or additional Lines of Railway; and to alter, amend, enlarge, and repeal the Acts relating to the said Undertaking. [28th *July* 1843.]

[*Powers of* 5 *G.* 4. *c.* xlix. 3 & 4 *W.* 4. *c.* cxiv. *and* 2 & 3 *Vict. c.* lxx. (*except as altered*) *extended to this Act*, § 1.]

Cap. lxxx.

An Act to improve, repair, and maintain the Road from *Inchbelly Bridge* to *Glasgow*, and to make and maintain certain Branch Roads therefrom. [28th *July* 1843.]

[35 *G.* 3. *c.* 155. 41 *G.* 3. *c.* xxv. *and* 3 *G.* 4. *c.* xvii. *repealed*, § 1. *Powers of* 1 & 2 *W.* 4. *c.* 43. (*except as altered*) *extended to this Act*, § 2.]

Cap. lxxxi.

An Act for more effectually repairing, improving, and maintaining the Roads and Bridges in the County of *Sutherland*, and further regulating the Statute Labour in the said County; and for repairing, improving, and maintaining a certain Portion of Road in the County of *Ross*. [28th *July* 1843.]

[1 & 2 *G.* 4. *c.* xxiii. *repealed*, § 1.]

Cap. lxxxii.

An Act to enable the *Great North of England, Clarence, and Hartlepool* Junction Railway Company to make a Branch Railway; and to explain and amend the Acts relating to the said Railway; and for other Purposes. [28th *July* 1843.]

[*Powers of* 7 *W.* 4. & 1 *Vict. c.* xcv. *and* 5 & 6 *Vict. c.* xvii. (*except as altered*) *extended to this Act*, § 1.]

Cap. lxxxiii.

An Act for altering and amending the *Dundee* Harbour Acts, and for more effectually maintaining, improving, and extending the Harbour of *Dundee*; and for other Purposes connected therewith. [28th *July* 1843.]

[*Powers of* 11 *G.* 4. & 1 *W.* 4. *c.* cxix. (*except as altered*) *extended to this Act*, § 1.]

Cap. lxxxiv.

An Act to extend the Term and to alter and enlarge the Powers and Provisions of the Acts for erecting, improving, regulating, and maintaining the Ferries and Passages across the River *Tay* in the Counties of *Fife* and *Forfar*, and for establishing a Floating Bridge or Bridges over the said River, with proper Landing Places and Approaches thereto. [28th *July* 1843.]

[*Powers of* 59 *G.* 3. *c.* cxiii. 3 *G.* 4. *c.* lxxvi. *and* 4 *G.* 4. *c.* lxxxviii. (*except as altered*) *extended to this Act*, § 1.]

Cap. lxxxv.

An Act for appointing Trustees for the Creditors of the Burgh of *Paisley*, and other Purposes relating to the financial Affairs of the said Burgh. [28th *July* 1843.]

Cap. lxxxvi.

An Act to render valid an Act for better raising and securing the Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in *Scotland*. [28th *July* 1843.]

[*The Act Cap.* xxv. *ante declared valid*, § 1.]

Cap. lxxxvii.

An Act to incorporate the Directors of *Milne*'s Free School in the Town of *Fochabers*, and for the better Government thereof. [28th *July* 1843.]

Cap. lxxxviii.

An Act to alter and amend an Act for the Improvement of the Navigation of the Rivers *Burry, Loughor*, and *Lliedi*, in the Counties of *Carmarthen* and *Glamorgan*, and to improve the Harbour of *Llanelly* in the said County of *Carmarthen*. [1st *August* 1843.]

[*Powers of* 53 *G.* 3. *c.* clxxxiii. (*except as altered*) *extended to this Act*, § 1.]

Cap. lxxxix.

An Act to enable the *Edinburgh* Water Company to bring in an additional Supply of Water; and to alter and amend the Acts relating to the said Company. [1st *August* 1843.]

[*Powers of* 59 *G.* 3. *c.* cxvi. 7 *G.* 4. *c.* cviii. *and* 5 *&* 6 *W.* 4. *c.* xxxiii. (*except as altered*) *extended to this Act*, § 1.]

Cap. xc.

An Act to incorporate the Members of the Institution called the Infant Orphan Asylum, and to enable them the better to carry on their charitable Designs. [1st *August* 1843.]

Cap. xci.

An Act for more effectually repairing the Road from the new Wall on the Parade in *Castleton* in the Parish of *Rochdale*, through *Middleton*, to the Mere Stone in *Great Heaton* and to the Town of *Manchester*, all in the County Palatine of *Lancaster*; and for making a Diversion in the Line of such Road. [1st *August* 1843.]

[4 *G.* 4. *c.* cvii. *repealed*, § 1. *One full Toll only to be taken for passing and repassing once on same Day between the new Wall upon the Parade in Castleton and the Market House in Middleton, and Two only from Middleton to Manchester by Blackley, and One only from Middleton to the Mere Stone in Great Heaton*, § 22. *Persons having paid Toll to return Toll-free*, § 23. *Double Toll for extra Weight between* 1*st November and* 1*st April*, § 26. *No more Money to be laid out on Roads than is collected thereon*, § 30. *Tolls not to be taken or Money laid out in Towns*, § 31. *Act to commence on the Third Monday after its passing, and continue in force for Twenty-one Years*, § 34.]

Cap. xcii.

An Act for appointing the Royal Burgh of *Dingwall* to be the Head Burgh of the Shire of *Ross*, and for giving cumulative Jurisdiction to the Justices of the Peace of the Counties of *Ross* and *Cromarty*. [10th *August* 1843.]

Cap. xciii.

An Act for regulating the Police, and paving, cleansing, and lighting the Streets of the Town or Barony of *Gorbals* in the County of *Lanark*, and Grounds adjacent; and for other Purposes relating thereto. [10th *August* 1843.]

[4 *G.* 4. *c.* lxxi. *and* 7 *W.* 4. *&* 1. *Vict. c.* xlix. *repealed*, § 1.]

Cap. xciv.

An Act for repairing and maintaining the Roads from *Spalding High Bridge*, through *Littleworth*, to *James Deeping Stone Bridge* and *Handley's Bridge* in the County of *Lincoln*, and from *Deeping Stone Bridge Maxey Outgang* in the County of *Northampton*. [10th *August* 1843.]

[1 *&* 2 *G.* 4. *c.* xxxiv. *repealed*, § 1. *Two full Tolls only to be taken on same Day for passing and repassing through all the Gates between Spalding High Bridge and Maxey Outgang, and One only between the northernly End of Bell Lane and Handley Bridge, or between Spalding High Bridge and the Division Line (in Littleworth Drove) of Kesteven and Holland, or between the said Division Line and James Deeping Stone Bridge*, § 20. *Persons having paid Toll to return Toll-free*, § 21. *Double Toll for extra Weight between the* 1*st November and* 1*st April*, § 25. *No more Money to be laid out on Roads than is collected thereon*, § 31. *No Tolls to be taken or Money laid out in Towns*, § 32. *Act to commence on First Monday after its passing, and continue in force for Twenty-one Years*, § 37.]

Cap. xcv.

An Act for more effectually repairing the Road from the Town of *Cromford* to the Town of *Belper*, and the Road from the Main Road near the River *Amber* to the Turnpike Road at *Bull Bridge*, all in the County of *Derby*. [10th *August* 1843.]

[57 *G.* 3. *c.* xiii. *repealed*, § 1. *Two Tolls only to be taken on same Day for passing and repassing once through all the Gates from Cromford Bridge to Belper, and One only from the Road near the River Amber to Bull Bridge*, § 11. *Persons having paid Toll to return Toll-free*, § 12. *Double Toll to be taken for extra Weight between the* 1*st November and* 1*st April*, § 15. *No more Money to be laid out on Roads than is collected thereon*, § 20. *No Tolls to be taken or Money laid out in Towns*, § 21. *Act to commence on the Third Monday after its passing, and continue in force for Twenty one Years*, § 24.]

Cap. xcvi.

An Act for more effectually repairing the Road from the Borough of *Leicester* to the City of *Peterborough*. [10th *August* 1843.]

[41 *G.* 3. *c.* cxviii. *and* 3 *G.* 4. *c.* xlvi. *repealed*, § 1. *Three full Tolls only to be taken on same Day for passing and repassing once through the Leicester District, and Three only on the Uppingham District, and One only on the Wansford and Peterborough District*, § 12. *Persons having paid Toll to return Toll-free*, § 13. *Lime for Manure exempt from Toll, if drawn in Carriages having Wheels of the Breadth*

Breadth of Four Inches and a Half and upwards, § 16. *Penalty of* 20*s. for hanging out Clothes, fixing Hooks, &c.,* § 17. *No Tolls to be taken or Money laid out in Towns,* § 24. *No more Money to be laid out in repairing Roads than is collected thereon,* § 25. *Act to commence on the Third Monday after its passing, and continue in force for Twenty-one Years,* § 29.]

Cap. xcvii.

An Act for making and maintaining Highways, Roads, Bridges, and Quays, and for regulating Ferries, in the Shire of *Argyll;* and for altering and repairing certain Military and other Roads, Bridges, and Quays in the said Shire. [10th *August* 1843.]

[56 *G.* 3. *c.* lxx. *repealed,* § 1.]

Cap. xcviii.

An Act to alter and amend certain Provisions of the Acts relating to the Docks and Harbour of *Liverpool.* [17th *August* 1843.]

[*Powers of* 8 *Ann. c.* 12. 3 *G.* 1. *c.* 1. 11 *G.* 2. *c.* 32. 2 *G.* 3. *c.* 86. 25 *G.* 3. *c.* 15. 39 *G.* 3. *c.* xxxix. 51 *G.* 3. *c.* cxliii. 53 *G.* 3. *c.* clvi. 59 *G.* 3. *c.* xxx. 6 *G.* 4. *c.* clxxxvii. 9 *G.* 4. *cc.* lv. cxiv. 11 *G.* 4. *&* 1 *W.* 4. *c.* xiv. *and* 4 *&* 5 *Vict. c.* xxx. (*except as altered*) *extended to this Act,* § 8.]

Cap. xcix.

An Act to consolidate, amend, and extend the Provisions of several Acts, for the better paving, watching, lighting, and cleansing, and for regulating the Police of the City of *Glasgow* and adjoining Districts, and also for managing the Statute Labour of the said City; and for other Purposes in relation thereto. [17th *August* 1843.]

[*So much of* 39 *&* 40 *G.* 3. *c.* lxxxviii. 47 *G.* 3. *sess.* 2. *c.* xxix. 47 *G.* 3. *sess.* 2. *c.* xlv. 1 *G.* 4. *c.* lxxxviii. 1 *&* 2 *G.* 4. *c.* xlviii. 11 *G.* 4. *&* 1 *W.* 4. *c.* xlii. *and* 7 *W.* 4. *&* 1 *Vict. c.* xlviii. *as relate to paving and lighting the Streets and regulating the Police, and to Statute Labour, repealed,* § 1.]

Cap. c.

An Act for amending an Act passed in the Second Year of the Reign of Her present Majesty, for draining and embanking certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry,* so far as the same relates to the said Lands in *Lough Foyle.* [17th *August* 1843.]

[*Powers of* 1 *&* 2 *Vict. c.* lxxxvii. (*except as altered*) *extended to this Act,* § 1.]

Cap. ci.

An Act for establishing an Office for the Benefit of Coalwhippers of the Port of *London;* and for staying certain Actions in respect of Fitters Certificates. [22d *August* 1843.]

'WHEREAS an Act was passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating the Vend and Delivery of Coals in the Cities of* London and Westminster, *and in certain Parts of the Counties of* Middlesex, Surrey, Kent, Essex, Hertfordshire, Buckinghamshire, *and* Berkshire: And whereas an Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to continue for Seven Years an Act for regulating the Vend and Delivery of Coals in* London *and* Westminster, *and in certain Parts of the adjacent Counties:* And whereas in discharging the Cargoes of Vessels laden with Coals in the Port of *London* a considerable Number of Labourers called Coalwhippers are employed: And whereas the said Employment would be better regulated, and the Interests of the said Labourers and of the Public at large would be promoted, if the same were carried on under the Superintendence of Commissioners, and an Office and Stations were established for Coalwhippers, to be supported by means of a certain Deduction from their Wages:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately after the passing of this Act it shall be lawful for the Lords of the Committee of Her Majesty's Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations to appoint Four fit and proper Persons as Commissioners for carrying this Act into execution, and from Time to Time to remove any Person who shall have been so appointed by them, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners so appointed, either by reason of Removal, Resignation, Death, or otherwise.

1 & 2 W. 4. c. 76.

1 & 2 Vict. c. 101.

I. *Government of Coalwhippers.*

Lords of the Committee of Privy Council for Trade may appoint Four Commissioners, and fill up Vacancies.

II. And be it enacted, That from and immediately after the passing of this Act it shall be lawful for the Mayor, Aldermen, and Commons of the City of *London,* in Common Council assembled, to appoint Four other fit and proper Persons to be Commissioners for carrying this Act into execution, and also from Time to Time to remove any Person who shall have been appointed by virtue of this Enactment, and also from Time to Time to fill up any Vacancy which shall occur in the Number of the Commissioners appointed by them, either by reason of Removal, Resignation, Death, or otherwise.

Corporation of London may appoint Four Commissioners, and may remove them and supply Vacancies.

III. And be it enacted, That the Chairman of the Committee of the General Ship-owners Society of *London* for the Time being shall be a Commissioner for carrying this Act into execution; and the said Chairman for the Time being of the said Committee of the said General Ship-owners Society of *London,* and

Chairman of Committee of the General Ship-owners So-

ciety of London to be a Commissioner.

and the said several Persons who shall be so from Time to Time respectively appointed by the said Lords of the said Committee of Privy Council, and by the said Mayor, Aldermen, and Commons in Common Council assembled, as aforesaid, shall be and are hereby constituted Commissioners for carrying this Act into execution, and shall be styled "Commissioners for the Registration and Regulation of Coalwhippers in the Port of *London*."

Style of Commissioners.

Meetings of Commissioners.

IV. And be it enacted, That the Commissioners acting under or by virtue of this Act, or any Three of them, shall meet in the first instance at such Time and Place as the Nine Commissioners to be appointed under or by virtue of this Act, or the greater Number of them, shall direct, by Notice in Writing signed by the greater Number of the said Commissioners; and such Meeting shall be called a Board of Commissioners; and all future Boards of the said Commissioners shall be held from Time to Time at such Time and Place and upon such Notice as may be resolved upon by Rules or Regulations of any Board for that Purpose: Provided always, that every Board of Commissioners shall consist of not less than Three Commissioners.

Quorum.

Chairman and Vice Chairman to be appointed every Year.

V. And be it enacted, That at the first Meeting of the Commissioners in every Year they shall elect, by a Majority of Votes of the Commissioners present, some one Commissioner to be the Chairman of the said Commissioners for the Remainder of the Year, and some one other Commissioner to be the Vice Chairman of the said Commissioners for the Remainder of the Year; and in case the Chairman shall be absent from any Meeting of the Commissioners the Vice Chairman shall in that Case act as Chairman, and in case at any Meeting of the Commissioners neither the Chairman nor the Vice Chairman shall be present the Commissioners then present shall elect a Chairman for that Meeting; and all Questions shall be determined by the Votes of the Majority of the Commissioners present at the Board, including the presiding Chairman, and in case of an Equality of Votes the presiding Chairman shall have the casting Vote.

Chairman to have casting Vote.

Powers of Commissioners vested in the Board.

VI. And be it enacted, That all and every the Powers and Authorities and Duties by this Act vested in or imposed upon the said Commissioners shall be exercised by the Board of Commissioners, and the Decision or Resolution of any Board shall be deemed to be the Decision and Resolution of the Commissioners.

Proceedings of Board to be entered in Books.

VII. And be it enacted, That all Orders and Proceedings of any Board of Commissioners shall be entered in a Book to be kept by the Registrar to be appointed by virtue of this Act, and shall be signed by the presiding Chairman of the Board.

Commissioners to sue and be sued in the Name of the Registrar.

VIII. And be it enacted, That the said Commissioners may sue and be sued in all Actions, Suits, and other Proceedings in the Name of their Registrar for the Time being; and that no Action, Suit, or Process shall abate or be stayed by reason of the Death or Removal of any such Registrar, but the Registrar for the Time being shall be deemed to be the Party, Plaintiff or Defendant, as the Case may be: Provided always, that all Costs, Charges, and Expences which may be incurred by the said Registrar in any such Action, Suit, or Proceeding shall be repaid to him by the said Commissioners out of the Monies applicable by them to the Purposes of this Act.

II. *Coalwhippers Register.*

Commissioners to open a Register and appoint a Registrar;

IX. And be it enacted, That on or immediately after the First Day of *January* One thousand eight hundred and forty-four it shall be lawful for the said Commissioners and they are hereby required to provide and open, at some convenient Place or Places in the City of *London*, or on the Banks of that Part of the River *Thames* which for the Purposes of this Act is to be deemed within the Port of *London*, One or more Book or Books for the registering of Coalwhippers in the Port of *London*, and also to appoint some fit and proper Person to be the Registrar thereof, with such Salary or Remuneration, not exceeding Four hundred Pounds *per Annum*, as they may think reasonable, and as the Lords of the said Committee of Privy Council may approve, and to regulate the Duties of the Office of Registrar, and to supply any Vacancy in the said Office caused by Death, Resignation, or by such Removal as herein-after is mentioned or otherwise; and the said Commissioners are hereby required, immediately upon the opening of such Register, to give Notice thereof by Advertisement inserted in the *London Gazette* for Two consecutive Weeks, and by Bills or Placards affixed in some conspicuous Places in the Coal Market and Custom House in the City of *London*, and in the respective Custom Houses at *Gravesend*, *Newcastle*, *Sunderland*, *Stockton on-Tees*, and *Leith*, and at such other Places and in such other Manner as to them shall seem fit; and in such Notice the Day on which such Register is to be opened, the Place where the same is to be kept, and the Hours of Attendance thereat shall be specified, and a Requisition or Warning shall be inserted to Persons desirous of following or continuing to follow the Employment of Coalwhippers to have themselves registered under this Act; and on the Day so specified in such Notice such Register shall be and be deemed to be opened for the Purposes of this Act.

and to give Notice of opening Register.

Contents of Notice.

Registrar to enter Names, &c. of Coalwhippers;

X. And be it enacted, That the Registrar so appointed shall and he is hereby required from Time to Time, upon such Application, and upon Payment of such Fee (not exceeding Four-pence) as shall be prescribed in that Behalf under the Authority of this Act, to enter in the said Register the Christian Name and Surname, the Age, and the Place of Abode, and any other Particulars required under the Authority of this Act, of any Person who at the Time of the passing of this Act shall follow the Employment of a Coalwhipper, and who shall at the Time of such Application be desirous of continuing therein, and of any other able-bodied Male Person whatever who shall be desirous of entering on the said Employment; and immediately upon such Entry being made the said Registrar shall, without any further Fee or Reward, deliver to every Person so registered a Certificate of such Entry having been made, and of the Number, Date, and Particulars thereof; and the said Registrar shall from Time to Time, upon Payment of such Fee as shall be prescribed and in such Cases as shall be mentioned in that Behalf respectively under the Authority of this Act, renew such Certificate; and the said Registrar shall at all Times and in all respects keep

and to deliver Certificates, and renew the same; and to keep the Register according to the Act.

keep the said Register in accordance with the Provisions and the Regulations to be established under the Authority of this Act.

II. *Coalwhippers Register.*

XI. And be it enacted, That in all Courts and before any Justices of the Peace, and upon all Occasions whatever, the Entries made or contained in such Register shall be received as Evidence, and be deemed sufficient Proof of all Matters and Things therein registered or contained, without any further Proof than the Production of such Register; and any Person shall be at liberty to inspect any such Register during the Hours of Attendance at the Office, without Payment of any Fee or Reward; and that the Entries in such Register and the Certificates to be delivered under this Act shall not be liable to any Stamp Duty; and that if any Person applying to be registered under this Act, or procuring or attempting to procure any such Certificate, shall make or cause to be made any false Representation in regard to his Name, Age, or Place of Abode, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application or Certificate, every Person so offending shall forfeit for every such Offence any Sum not exceeding Twenty Shillings; and that if any Person or Persons shall forge, counterfeit, or falsify, or cause or procure to be forged, counterfeited, or falsified, or act or assist in forging, counterfeiting, or falsifying any Entry or Certificate of Registry to be made or given in pursuance of this Act, the Person or Persons so offending, and being thereof lawfully convicted, shall be deemed guilty of a Misdemeanor, and shall be liable to be punished by Fine or Imprisonment, or by both, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Certificate, and for any Peace Officer to seize and take away any such Certificate, in order that the same may be produced in Evidence against the Offender, or be disposed of as the said Registrar shall think proper.

Register to be Evidence, and Entry and Certificate not subject to Stamp Duty.

Penalty on Persons making Misrepresentations.

XII. And be it enacted, That after the Expiration of One Calendar Month from the Day on which such Register shall have been opened it shall not be lawful for any Person, except such Persons and in such Cases as is in this Act provided, to follow or exercise the Employment of a Coalwhipper, or to labour in the Discharge, by the Process of whipping, of the Cargo of any Vessels laden with Coals in the Port of *London*, unless such Person shall be registered as a Coalwhipper, and shall have a Certificate under this Act and then remaining in force; and if any Person not so registered or not having such Certificate, except as last aforesaid, shall follow or exercise the said Employment, or shall labour as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Two Pounds: Provided always, nevertheless, that it shall be lawful for any Person or Persons, being actually Part of the Crew of any Vessel in the Port of *London*, to labour in the Discharge of Coals by whipping or otherwise from the same or any other Vessel, and also for the actual Servants or Labourers of the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, such Servants and Labourers having been *bonâ fide* engaged in the Service of such Owner or Purchaser for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by the Process of whipping, and also for the actual Servants or Labourers of the several Dock Companies having Docks near to the River *Thames*, such Servants and Labourers having been *bonâ fide* engaged in the Service of such respective Companies for a Period of not less than Fourteen Days, to labour in the Discharge of Coals by the Process of whipping from any Vessels in the Docks of such Companies respectively, and such Crews, Servants, and Labourers may so labour with or without the Aid of One or more Persons being registered Coalwhippers.

After One Month from the opening of Register no Person to be a Coalwhipper unless registered.

Exception in favour of the Crews of Colliers, and of the actual Servants or Labourers of the Owner or Purchaser of the Cargo.

III. *Coalwhippers Office.*

XIII. And for the Purpose of providing a Head Office and convenient Branch Offices and Stations for the Resort of Coalwhippers in the Port of *London*, and the Deposit of the Implements and Tackle required in that Business, be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, at the Request of the said Commissioners, to be signified by a Resolution of their Board signed by the Chairman, at any Time or Times and from Time to Time to treat and agree for the hiring or renting of and to hire or rent, for a Term not exceeding the Period fixed for the Duration of this Act, any Buildings, Ground, and Hereditaments as the said Commissioners shall think necessary for the Purposes of this Act, and also to adapt and fit up the same for Offices and Stations for the Resort of Coalwhippers, and for the Deposit of the Tackle and Implements required in that Employment, and for the Transaction of the Business of the Commissioners under this Act, and also from Time to Time to repair and maintain the Buildings and Premises so acquired and held by virtue of this Act, and also at any Time or Times, at the Request of the said Commissioners, to be signified by a Resolution of their Board signed by their Chairman, to remove any of the said Offices or Stations to any other Situation or Places which the said Commissioners shall deem more convenient.

Corporation of London may hire Lands and Buildings for Offices and Stations, and remove them, at Request of the Commissioners.

XIV. And be it enacted, That it shall be lawful for the said Commissioners to provide and keep from Time to Time such Stages, Planks, Gins, Baskets, Shovels, and other Tackle and Implements as are commonly used in the Discharge of Cargoes of Coals, and of such Description and in such Quantities as they shall think sufficient, and to supply to such Ships as may require the same such Tackle and Implements, upon Payment of such Sum for the Use thereof as may be fixed by the said Commissioners, not exceeding in any Case the Sum of Seven Shillings and Sixpence *per* Cargo when the Vessel is of Two hundred and fifty Tons Burden or upwards, and not exceeding Five Shillings *per* Cargo when the Vessel is of less Burden than Two hundred and fifty Tons; and if any Person whomsoever shall let out to hire, or for any Recompence or Reward permit to be used, for the Discharge of the Coals from any Vessel by registered Coalwhippers engaged from the Coalwhippers Office under this Act, any Tackle or Implements to or by any Person or Persons (except on behalf of the Coalwhippers Office), every Person so hiring out or permitting to be used any such Tackle or Implements shall, for each and every Occasion of hiring out

Commissioners to provide Tackle.

Other Persons prohibited from hiring out Tackle.

Penalty. Exceptions.

or permitting to be used the same, forfeit the Sum of Five Pounds: Provided nevertheless, that nothing herein contained shall prevent the Master of any Vessel laden with Coals in the Port of *London* from using such of the aforesaid Tackle and Implements as may be required, and as may belong to the Owner of such Vessel, notwithstanding the Cargo of such Vessel shall be discharged by Coalwhippers engaged from the Coalwhippers Office, or shall prevent any such Master from hiring, or any Person whomsoever from letting out to hire, any such Tackle or Implements as aforesaid in any Case in which such Vessel shall be lawfully unladen, according to the Provisions of this Act, by Persons not being registered Coalwhippers.

Money may be raised on the Credit of the Duty of 1*d.* per Ton on Coal under Act 1 & 2 W. 4. c. 76.

XV. And be it enacted, That, for the Purpose of providing and fitting up Offices and Stations for Coalwhippers under this Act, it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, to borrow or raise, on the Credit of the Duty of One Penny *per* Ton on Coals, Cinders, and Culm imposed by the first herein-before mentioned Act of the First and Second Years of the Reign of King *William* the Fourth, any Sum or Sums of Money not exceeding in the whole the Sum of One thousand Pounds, in addition to the Sums required for the Purposes of the said first herein-before mentioned Act and thereby authorized to be raised, and upon Payment of any Monies so borrowed into the Chamber of the said City to cause a Security or Securities to be given for Repayment thereof, with such lawful Interest thereon as shall be agreed upon with the Lender or Lenders thereof; and all Securities under this Act shall be given in the same Manner, and shall be of the same Obligation and Effect, and shall be assignable in such Manner, and shall be entered in such Book or Books, and shall be liable to be paid off on such Notice, as are respectively specified and declared in the said first herein-before mentioned Act with respect to the Securities under that Act; and the said Duty shall be and the same is hereby charged with the Interest which shall be payable in respect of the Sum or Sums of Money to be borrowed under this Act, and then with such Principal Sum or Sums: Provided always, that nothing in this Act contained shall continue the said Duty of One Penny *per* Ton after the yearly Dividends and Interest of the Stocks, Funds, and Securities purchased with the Proceeds of the said Duty shall be sufficient for the Purposes authorized by the said recited Acts, or would have been so sufficient if no Sum of Money had been charged thereon by virtue of this Act.

Commissioners to appoint Officers.

XVI. And be it enacted, That it shall be lawful for the said Commissioners to appoint such and so many Branch Registrars, Clerks, and other Officers and Servants as they may think necessary for carrying this Act into execution, with such Salaries and Allowances as they may think reasonable, and as the said Lords of the said Committee shall approve, and to supply Vacancies among them caused by such Removal as herein-after is mentioned, or by Death, Resignation, or otherwise: Provided always, that it shall be lawful for the Lords of the said Committee of Her Majesty's Privy Council from Time to Time to remove the Registrar, Branch Registrars, Clerks, and other Officers and Servants appointed by the said Commissioners by virtue of this Act, and any Person so removed shall not be afterwards appointed to any Office or Situation under this Act without the Consent of the Lords of the said Committee.

Commissioners to give Notice of the Establishment of the Office.

XVII. And be it enacted, That the said Commissioners shall and they are hereby required, as soon as they shall deem the Arrangements for the said Offices to be sufficiently advanced and proceeded in, to give Notice, for the like Period and in the like Mode as is herein-before prescribed with respect to the Register herein-before directed, of the Establishment of the Coalwhippers Office under this Act, and at the Time therefore fixed in such Notice such Office shall be and shall be deemed to be established under and for the Purposes of this Act.

IV. *Coalwhipping.*

Where Cargo to be discharged by Coalwhippers, Shipmaster to apply to Office.

XVIII. 'And whereas, in order to secure the Objects of this Act, it is expedient to make certain 'Provisions respecting the Discharge of the Cargoes of Vessels laden with Coals in the Port of *London*;' be it therefore enacted, That after the Establishment of the Coalwhippers Office under this Act the Master or Mate of every Vessel laden with Coals, the whole or Part of the Cargo whereof it shall be intended to discharge in the Port of *London* by Coalwhippers, or some other Person on behalf of the Master, shall make Application to the Head Office or the nearest Branch Office of Coalwhippers, stating the Quantity of Coals, and the Time at which he desires that the Discharge of such Coals shall commence, and, if he shall so think fit, the Time within which it shall be completed, and the Rate *per* Ton which he agrees to pay for the Discharge thereof.

Duty of Coalwhippers Officers.

XIX. And be it enacted, That the Clerk or other appointed Officer of the Coalwhippers Office under this Act, upon every such Application for Coalwhippers as aforesaid, shall forthwith give Notice of the Application to the Gangs of Coalwhippers in attendance at the Office where such Application shall have been made, and in case several Gangs shall offer to unload the Cargo mentioned in the Application at the Price named, shall permit the Gangs in attendance to tender to unload the Cargo at any lower Price, and shall select for the Performance of the Work the Gang who shall offer the lowest Terms; and in case of no such lower Tender or of Equality of Tenders the Gang who, according to the Bye Laws of the Commissioners, shall stand next in Rotation for Employment, and shall be willing to accept the same, shall be so selected; and if no Gang shall be willing to accept the Terms proposed in such Application, the said Clerk or other Officer shall permit the Gangs in attendance to tender to unload the Cargo mentioned in the Application at any higher Price, and shall select for the Performance of the Work (subject to the Consent of the Master or other Person as aforesaid making the Application) the Gang who shall offer the lowest Terms, and in case of Equality of Tenders, the Gang who shall stand next in such Rotation for Employment as aforesaid; and the said Clerk or other Officer shall forthwith, by Notification in Writing, acquaint the Master or other Person as aforesaid making the Application with the Price (if any) at which the selected Gang has agreed to perform the Work, or (as the Case may be) with the Fact that no Gang

Gang is willing to perform the Work: Provided always, that such Notification in Writing shall be given to the Master or other Person making the Application within One Hour after the Receipt of the Application by the Clerk or other Officer of the Coalwhippers Office, if such Master or other Person shall still be in attendance at the Office, but if he shall have previously quitted the Office, then as soon afterwards as he shall apply for the Information: Provided further, that such Notification in Writing shall, on all Proceedings in any Court or before any Justice or Justices of Peace against any Party for employing Persons not being registered Coalwhippers, contrary to the Provisions of this Act, be received as Evidence, and be deemed sufficient Proof of the Price at which the Gang or Gangs therein referred to have offered to perform the Work therein mentioned, or (as the Case may be) of the Fact that no Gang has offered to perform the Work therein mentioned.

Clerk to send a proper Gang with Tackle.

XX. And be it enacted, That the said Clerk or other Officer shall send and he is hereby required to send, within One Hour of the Time appointed in such Application for the Discharge of such Coals, the Gang or Gangs or Part of a Gang of Coalwhippers who shall have been so selected as aforesaid, with the necessary Tackle and Implements, if required, to the Vessel to be unladen, for the discharging of the Cargo thereof; and if such Clerk or other Officer shall neglect or refuse on such Application to send such Gang or Part of Gang with such Tackle and Implements, and within such Time as aforesaid, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty on Master not permitting Vessels to be discharged.

XXI. And be it enacted, That the Master of the Vessel in respect of which the Application for the Discharge of Coals shall have been so made as aforesaid shall permit the same to be discharged by the Coalwhippers sent from the Coalwhippers Office, according to the Provisions herein contained; and if any Master or any other Person or Persons shall prevent, obstruct, or interrupt, or attempt to prevent, the Discharge of such Coals being proceeded in and completed by the Coalwhippers to be sent from the Coalwhippers Office in consequence of such Application, then and in every such Case the Person so offending shall forfeit any Sum not exceeding Ten Pounds.

Penalty on Shipmaster employing non-registered Coalwhippers.

XXII. And be it enacted, That if the Master of any such Vessel as aforesaid or any other Person shall employ, or permit or suffer to be employed, any Person not being a Coalwhipper registered and sent from the Coalwhippers Office under this Act (except such Persons or in such Cases as are mentioned in the Provisoes herein-after contained) to labour in the Discharge of the Coals from such Vessel, or of any Part thereof, by the Process of whipping, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds: Provided nevertheless, that it shall and may be lawful for the Master of any such Vessel as aforesaid to employ in the Discharge of Coals therefrom by the Process of whipping any Person or Persons being actually Part of the Crew thereof or of any other Vessel in the Port of *London*, and also for the *bonâ fide* Owner or Purchaser of the Cargo of any Vessel laden with Coals, or of any Part thereof, to employ his actual Servants or Labourers, having been *bonâ fide* engaged in his Service for a Period of not less than Fourteen Days, to labour in the Discharge of such Cargo by whipping, and also for the several Dock Companies herein-before mentioned to employ such their Servants and Labourers as aforesaid to labour in the Discharge of Coals by the Process of whipping from any Vessel which shall be in the respective Docks of the said Companies respectively, and to make Application for and obtain, in the Manner herein-before mentioned, the Services of a sufficient Number of Coalwhippers, although less than a complete Gang, to assist the Persons so employed: Provided always, that it shall and may be lawful for the Master of any such Vessel as aforesaid to employ Persons not being registered Coalwhippers to discharge such Coals by whipping in the following Cases; (that is to say,) in case he shall not, within the Time within which the Clerk or other Officer is herein-before required to send a Gang or Gangs of Coalwhippers for the Discharge of such Coals, be supplied with such Gang or Gangs and such requisite Implements and Tackle as are mentioned in his Application; or in case he shall receive from such Clerk or other Officer such Notification as aforesaid that no Gang of Coalwhippers have declared themselves willing to discharge such Coals at the Price named in his Application; and the several Persons not being registered Coalwhippers who shall be employed in the before-mentioned Cases shall not be liable to the Penalties herein-before imposed upon non-registered Persons for discharging Coals from Vessels by whipping: Provided nevertheless, that if such Clerk or other Officer shall state in such Notification that a Gang or Gangs of Coalwhippers are willing to discharge such Coals at some stated Price *per* Ton higher than that named in such Application, and such Master shall not agree to such higher Price, it shall not be lawful for such Master to pay to the Persons, not being registered Coalwhippers, whom he shall employ to discharge such Coals, a greater Price than that which is so stated in such Application, or to allow to such Persons a longer Period to complete the Discharge of such Coals than the Time mentioned in that Behalf in such Application, and if he shall pay to such Persons any such greater Price, or shall allow to such Persons any such longer Period, he shall be liable to forfeit for every such Offence any Sum not exceeding Ten Pounds.

Shipmaster may employ Crews of Colliers to discharge the Coals by whipping.

Shipmaster may employ non-registered Coalwhippers in certain Cases.

Proviso.

Shipmaster to pay Wages to Person authorized from Coalwhippers Office.

XXIII. And be it enacted, That immediately after the Discharge of the Cargo or the Part thereof undertaken to be discharged by the Coalwhippers sent from the Coalwhippers Office shall be finished, the Master of the Vessel in which they were employed, or such other Person as aforesaid, shall pay to some Person authorized by the said Commissioners the full Hire and Wages due in respect of the Labour of such Coalwhippers in current Money of the United Kingdom; and from and after the Establishment of the Coalwhippers Office under this Act so much of the said Act passed in the First and Second Years of the Reign of Her present Majesty as relates to the Payment of the Wages of Persons employed in the Discharge or Delivery of Coals from Vessels laden therewith in the Port of *London* shall be and the same

Repeal of 1&2 Vict. c. 101. s. 12.

IV. *Coalwhipping.*

same is hereby repealed: Provided always, that such Master or other Person as aforesaid shall not be compellable to pay such Hire or Wages except on board the Vessel.

Such authorized Person to make Deduction, and pay the Residue among Coalwhippers.

Penalty.

XXIV. And be it enacted, That the Person so authorized as aforesaid by the said Commissioners shall receive the Money to be paid as Hire or Wages for the Labour of the Coalwhippers so discharging the Cargo of such Vessel as aforesaid, and shall deduct therefrom the Sum or Proportion prescribed under the Authority of this Act, not exceeding One Farthing in each Shilling, and shall, either immediately on board such Vessel or forthwith thereafter at the nearest Head Office or Branch Office or Station of Coalwhippers, pay and divide the Residue of the Monies so received to and among the Coalwhippers so employed, without any other Deduction or Abatement, and without imposing any Terms or Conditions whatever; and if any such authorized Person as aforesaid shall neglect or refuse to pay such Residue at the Time and Place aforesaid, or shall make any other Deduction than as aforesaid, or shall impose any Terms or Conditions on making such Payment, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

V. *Regulation.*

Commissioners to make Bye Laws.

XXV. And, for better carrying into execution the Purposes of this Act, be it enacted, That it shall be lawful for the said Commissioners to make, when and as they shall deem necessary, Bye Laws and Regulations for keeping the Register by this Act established, and prescribing the Testimonials, Proofs, and Particulars to be required of Persons before or upon Registration therein, and settling the Terms of Entry therein, and of the Certificates to be delivered, and fixing the Fees, not exceeding in any Case the Sum of Four-pence for any such Registration or renewed Certificate, to be paid for Registration and renewed Certificates under this Act, and for fixing the Amount, not exceeding the Sum herein-before limited, of the Deduction to be made out of such Hire or Wages for the Purposes of this Act; and for the settling of Demands, the paying in and withdrawing of Monies, the Payment of Orders, and the Disposal of Funds, and the keeping, auditing, and Publication of Accounts under this Act; and for determining the Time of Attendance of the Coalwhippers at the Coalwhippers Office or its Branches, their Division into Gangs, and the Rotation of their Employment; and for securing the due Performance on the Part of the Coalwhippers of their Contracts to discharge Coals, with reference to the Time specified in each such Application as aforesaid for the Completion of the Discharge of the Cargo as well as in other respects; and for regulating the Rate of the Delivery of Coals in Cases in which no Time shall have been specified in such Application, and for annulling such Contracts in case of their Misbehaviour or other sufficient Cause, and for promptly substituting other Coalwhippers in such Cases for the Fulfilment of such Contracts; and for the Guidance, Government, and Control in all respects of the Coalwhippers certificated, and for the Management of the Offices and Stations established and the Officers and Servants appointed under this Act, and for carrying the same fully into execution; and to impose the Suspension or Forfeiture of the Employment of Coalwhippers, or of any Office or Place created under this Act, or to fix any reasonable Penalties (not exceeding the Sum of Five Pounds for any Offence) for the Breach or Non-observance of any such Bye Law or Regulation; and from Time to Time, by any other Bye Law or Regulation, to rescind, suspend, alter, or vary any Bye Law or Regulation by them made: Provided always, that the said Commissioners shall submit all Bye Laws and Regulations proposed to be made by them to the Lords of the said Committee of Her Majesty's Privy Council for their Consideration and Supervision, and shall receive and consider any Amendments which they may suggest therein; and One Week after such Submission the said Commissioners shall cause a Copy of such proposed Bye Laws and Regulations to be publicly affixed in some conspicuous Place in the Coal Market, and (if the same shall be established) in the Head Coalwhippers Office in *London*; and if such proposed Bye Laws and Regulations should be sanctioned by the Lords of the said Committee without Alteration, or if the Amendments which they shall suggest therein shall be adopted, or if the said Committee should fail to express an Opinion on the Bye Laws and Regulations to them submitted within the Space of Four Weeks next after such Submission, the said Commissioners shall make public such Bye Laws and Regulations by the Advertisement thereof once in the *London Gazette*, and by affixing Copies thereof in some conspicuous Place or Places in the Coal Market and Custom House of the City of *London*, and in the Head Coalwhippers Office, if any, established under this Act, and in the respective Custom Houses at *Gravesend*, *Newcastle*, *Sunderland*, *Stockton-on-Tees*, and *Leith*, and at such other Places and in such other Manner as to them shall seem fit.

Proposed Bye Laws to be submitted to the Board of Trade.

Publication of Bye Laws.

Board of Trade to notify Disapproval or Amendment within 4 Weeks.

XXVI. And be it enacted, That it shall be lawful for the said Lords of the said Committee of Her Majesty's Privy Council to sanction or to disapprove of such proposed Bye Laws and Regulations, or to suggest any Amendments therein, so that such Sanction or Disapproval or such suggested Amendments be notified to the said Commissioners within the Space of Four Weeks next after the Submission of such proposed Bye Laws and Regulations to the said Committee.

When Bye Laws to come in force.

XXVII. And be it enacted, That such Bye Laws and Regulations shall have full legal Effect at the Termination of Four Weeks from the Time when they were so made public by the said Commissioners, and a Copy purporting to be made of any such Bye Law or Regulation, and authenticated by the Signature of the Registrar for the Time being of the said Commissioners, shall, without any further Proof, be received as Evidence of the Bye Law or Regulation of which it purports to be a Copy, and of such Bye Law or Regulation having been duly made, submitted, issued, and published.

Penalty on Commissioners being interested in any Contract.

XXVIII. And be it enacted, That if any Person, being a Commissioner under this Act, shall be directly or indirectly interested or concerned in any Contract which shall be made or entered into by or on behalf of the said Commissioners, for or concerning any Work to be done under this Act or Materials to be employed therein, every such Contract shall be void, and the Person who, being a Commissioner, shall be so interested or concerned, shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same.

XXIX. And

VI. *Legal Proceedings.*

Recovery and Application of Fines and Penalties not exceeding 25*l.*

XXIX. And be it enacted, That all Fines, Penalties, or Forfeitures by this Act or by virtue of the Powers and Authorities thereof imposed, not exceeding Twenty-five Pounds, shall be sued for within Three Calendar Months after the Offence or Offences committed, and all such Fines, Penalties, and Forfeitures shall be levied and recovered before any Justice or Justices of the Peace for the County, City, or Place where the Offence shall be committed; and such Justice or Justices is and are hereby empowered and required, upon Information or Complaint to him or them made, to grant a Summons or Warrant to bring before him or them such Offender or Offenders at the Time and Place as shall be in such Warrant specified; and if, on the Conviction of the Offenders respectively, either on his, her, or their Confession, or on the Evidence of any One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby empowered to administer), such Fine, Penalty, or Forfeiture shall not be forthwith paid, the same shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice or Justices; and the Overplus of the Money (if any) raised by such Distress and Sale, after deducting the Fine, Penalty, or Forfeiture, and the Costs and Charges of making such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for Want of Distress, or in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall and may be lawful to and for such Justice or Justices to commit every such Offender to the Common Gaol or House of Correction for the County, City, or Place where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid; and all such Fines, Penalties, and Forfeitures, when recovered, shall be paid as herein-after directed.

Justices may proceed by Summons in the Recovery of Penalties.

XXX. And be it enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act, or any Bye Law or Regulation made in pursuance thereof, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Power to the Justice to give Part of Penalties to Informers.

XXXI. Provided always, nevertheless, and be it enacted, That it shall be lawful for any Justice or Justices before whom any such Conviction shall take place, if they or he shall think fit, to order and direct any Part, not exceeding One Half, of such Fines, Penalties, and Forfeitures to be paid or applied to or for the Use of the Informer or Informers, or other Persons aiding or assisting in the Apprehension of the Offender or Offenders or any of them.

Expences of Witnesses may be directed to be paid.

XXXII. And be it enacted, That it shall be lawful for any Justice or Justices, before whom any Person or Persons shall be brought or convicted for any Offence for which a Penalty is imposed by this Act, or by any Bye Law or Regulation made in pursuance thereof, to direct all or any Part, according to the Discretion of such Justice or Justices, of the reasonable Expences of any Constable, Police Officer, or other Witness of the Matter which shall be charged, and of such Compensation (if any) for the Time and Trouble of such Witness, as such Justice or Justices shall think reasonable, to be paid either by the Offender or Offenders or the Complainant or Complainants; and the Sum so ordered to be paid shall and may be recovered together with any Penalty of which the Person by whom the same shall be ordered to be paid shall have been convicted, or without, in the same Manner as any Penalty is directed to be recovered by this Act, and shall be paid to such Constable, Police Officer, or other Witness.

Appeal to the Quarter Sessions.

XXXIII. And be it enacted, That it shall and may be lawful to and for any Person or Persons so convicted by any Justice or Justices of the Peace as before mentioned of any Offence or Offences against this Act, or against any Bye Law or Regulation made in pursuance thereof, to appeal to the Justices of the Peace assembled at the next General Quarter Sessions or General Sessions to be holden for the County, City, or Place where such Conviction shall be made, on giving immediate Notice of such Appeal, and finding sufficient Security to the Satisfaction of such Justice or Justices for prosecuting the said Appeal with effect and abiding the Determination of the Court therein; and such Justices in such General Quarter Sessions or General Sessions shall hear and determine the Matter of such Appeal, and may either confirm or quash and annul the said Conviction, and award such Costs to either Party as to them the said Justices shall seem just and reasonable, and the Decision of the said Justices therein shall be final, binding, and conclusive; and no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form only, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

For compelling Attendance of Witnesses.

XXXIV. And be it enacted, That it shall and may be lawful to and for any such Justice or Justices of the Peace before whom any such Fines, Penalties, or Forfeitures shall be sued for to summon before him or them any Person who shall, in or by the Complaint or Information made to him or them, appear to be a necessary Witness as to the Matters thereby charged, to appear before him or them at a Time and Place to be specified in the Summons; and in case such Person so summoned shall not appear according to such Summons, then, upon due Proof of the Service of such Summons, in manner aforesaid, such Person so summoned, and not appearing in compliance therewith, shall forfeit and pay the Sum of Twenty-five Pounds, to be levied and recovered in such Manner and by such Ways and Means as are herein-before

VI. *Legal Proceedings.*

before directed as to other Penalties; and it shall and may be lawful to and for the said Justice or Justices to cause such Person to be apprehended by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, and to be brought before him or them; and thereupon, whether such Person shall appear upon Summons as aforesaid, or shall be apprehended as aforesaid, such Justice or Justices shall and may proceed to examine him or her upon Oath as to the Matter of such Complaint or Information; and in case such Person shall refuse to be sworn or to answer or to give Evidence therein, then and in every such Case it shall and may be lawful to and for such Justice or Justices, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Person so refusing to be sworn or to answer or to give Evidence as aforesaid to the Common Gaol or House of Correction of the City, County, or Place in or for which such Justice or Justices shall then act, there to remain for any Space of Time not exceeding Six Calendar Months.

Penalty for false Evidence.

XXXV. And be it enacted, That if any Person or Persons, upon his, her, or their Examination upon Oath before any Justice or Justices of the Peace acting in execution of this Act, shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or if any Person or Persons shall take or make any false Oath or Affidavit with respect to any Matter or Thing relating to this Act, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are subject and liable to.

Penalties above 25*l.* how to be recovered.

XXXVI. And be it enacted, That all Fines, Penalties, or Forfeitures exceeding the Sum of Twenty-five Pounds by this Act imposed for any Offence or Offences committed against this Act shall and may be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster*, by the Person or Persons who shall inform and sue for the same within One Calendar Month after the Offence or Offences shall be committed; and one Moiety of all such Fines, Penalties, or Forfeitures shall be to and for the Use of our Sovereign Lady the Queen, Her Heirs and Successors, and the other Moiety thereof (together with full Costs of Suit) shall be to and for the Use of the Person or Persons who shall inform or sue for the same.

Distress not to be unlawful for Want of Form, nor the Parties to be deemed Trespassers ab initio.

XXXVII. And be it enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or the Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage sustained in an Action on the Case.

Form of Conviction.

XXXVIII. And for the more easy and speedy Conviction of Offenders against this Act, be it enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn according to the following Form; (*videlicet,*)

'BE it remembered, That on the Day of in the Year of our Lord *A.B.* is 'convicted before me one of Her Majesty's Justices of the Peace for the [*here specify the* '*Offence, and the Time and Place when and where committed, as the Case may be*], contrary to an Act of 'Parliament made in the Year of the Reign of Queen *Victoria*, intituled [*here insert the* '*Title of this Act*]. Given under my Hand and Seal, the Day and Year first above written. *C.D.*'

Plaintiff not to recover after Tender of Amends.

XXXIX. And be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no Tender shall have been made it shall and may be lawful to and for the Defendant or Defendants in any such Action, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceeding, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XL. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover full Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Cases by Law.

Pecuniary Forfeitures to go to the Fund of the Act.

XLI. And be it enacted, That all pecuniary Penalties and Forfeitures which shall be recovered for any Offences against this Act, or any Bye Law or Regulation established under the Authority hereof, shall, unless the Application thereof be herein or therein otherwise directed, be paid to some Officer on behalf of the Coalwhippers Office, and shall be applied in aid of the Fund established by this Act.

XLII. And

VII. *Coalwhippers Fund.*

Monies received under the Act to be paid into the Chamber of the City, and to constitute a Fund.

XLII. And in reference to the Monies to be received under or by the Authority of this Act, be it enacted, That all Monies which shall arise from the Deduction out of the Wages of Coalwhippers by this Act authorized to be made, and from the Fees or Payment for their Registration and for renewed Certificates to them delivered, and the pecuniary Penalties and Forfeitures which shall be recovered under this Act, and the Monies which shall remain (after Payment of all Expences) from the Produce of the Sale of any Materials or Hereditaments sold under this Act, and the Rents of any Hereditaments let under this Act, shall be paid into the Chamber of the City of *London*, and shall be carried to the Account of the said Commissioners, and shall be and constitute the Coalwhippers Fund; and the said Monies in such Fund shall be appropriated and applied by the Order of the said Commissioners in Writing, signed by any Five or more of the said Commissioners, in the Order, Course, and Manner herein after mentioned; (that is to say,) firstly, in defraying the Expences of or incident to the passing of this Act; secondly, in defraying the Salaries and Allowances of the Officers and Servants appointed under the Authority of this Act, the Rent, Repairs, Taxes, Interest, or Principal Money borrowed, and other current and incidental Expences of the Registrar, and the Offices and Stations to be established under the Provisions or Authority of this Act, or otherwise to be incurred in carrying this Act into execution; thirdly, in the Discharge of any Principal Money which shall have been raised on the Credit of the Coal Duty of One Penny *per* Ton for the Purposes of this Act, or in refunding to the Stock or Fund created by the said first herein-before mentioned Act the Amount of any Principal Monies and Interest which shall have been so raised, and shall have been paid off and discharged by the said Duty; and the Residue, if any, shall be held over as a Balance of Account, or, if the Commissioners shall think fit, shall be invested in the Purchase of Stock in some of the Public Stocks or Funds, or upon Government or Real Securities, at Interest, in the Names of the Commissioners for the Time being, and shall from Time to Time be applied as the Commissioners shall think fit in diminution of the Deduction herein-before authorized to be made from the Hire or Wages of the Coalwhippers.

Appropriation of the Fund.

Account to be kept, and Statement laid before Parliament.

XLIII. And be it enacted, That there shall be provided and kept One or more Book or Books in which all the Monies which shall be received and paid by virtue of this Act shall be entered and set down, with the Dates, Occupations, and Particulars of such Receipts and Payments; and the said Commissioners shall in each and every Year lay before both Houses of Parliament, within Six Weeks after the Time of their meeting, an Account of the Sums received and paid under the several Heads of Receipt and Payment herein-before enumerated.

VIII. *Miscellaneous.*

Limits of the Port of London.

XLIV. And be it enacted, That for the Purposes of this Act the Limits of the Port of *London* shall be considered to be so much of the Port of *London*, not higher than *London Bridge*, and not lower than *Gravesend* in the County of *Kent*, as shall be fixed from Time to Time by the said Commissioners; and that this Act and the Provisions thereof shall extend to Coals laden, transhipped, or reshipped in the said Port by the Process of whipping, as well as to Coals unladen therein by that Process; and the Term "whipping" shall be construed to mean the discharging of Coal from a Vessel by raising the Coal from the Hold in a Basket or Box by manual Labour only, with the Aid of Ropes and a Pulley, and shall include not only the Persons who so raise the Coal, but also those who fill and empty the Basket or Box so raised; and that the Word "Gang" shall be construed to mean not only a complete Gang, consisting of Nine Coalwhippers, but also a Portion of a Gang when the Services of a Portion of a Gang are required.

For staying certain Actions.

XLV. And be it enacted, That no Action, Bill, Plaint, or Information for any Fine, Penalty, or Forfeiture imposed by the aforesaid Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth, or the aforesaid Act of the First and Second Years of the Reign of Her present Majesty, for not inserting in the Fitter's Certificate the Day of the Month and Year of the Loading, or the usual Names of the several and respective Collieries out of which the Coals should be wrought and gotten, or the Price paid for the same, shall be commenced, or, if now or hereafter commenced, shall be prosecuted or carried on by any common Informer, or by any other Person, except the Solicitor of the Corporation of *London* or some Person interested in such Certificate, without the Consent in Writing of some Judge of one of the Superior Courts at *Westminster;* and that immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted for the Recovery of any such pecuniary Penalty or Penalties incurred under the said Acts or either of them, except as aforesaid, without such Consent in Writing as aforesaid, to apply to the Court in which such Action, Bill, Plaint, or Information shall have been or may be sued out, commenced, or prosecuted, or to any Judge of any of the Superior Courts at *Westminster*, for an Order that such Action, Bill, Plaint, or Information shall be discontinued, upon Payment of the Costs thereof incurred to the Time of such Application being made, such Costs to be taxed according to the Form of such Court; and every such Court and Judge is hereby authorized and required, upon such Application, to make such Order as aforesaid; and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Action, Bill, Plaint, or Information shall be forthwith discontinued: Provided always, that if it shall appear to the Satisfaction of the said Court or Judge, by Affidavit or otherwise, that any Penalty or Penalties sought to be recovered in any such Action, Bill, Plaint, or Information has or have been incurred by the Fraud of the Defendant or Defendants in such Action, Bill, Plaint, or Information, then and in every such Case it shall be lawful for such Court or Judge to refuse to make such Order as to such Penalty or Penalties, and thereupon to make such other Order as the said Court or Judge shall deem expedient.

XLVI. And

Public Act. XLVI. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

Duration of the Act. XLVII. And be it enacted, That this Act shall continue in force until the First Day of *January* One thousand eight hundred and forty-six, and to the End of the then next Session of Parliament.

Act may be amended, &c. XLVIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Cap. cii.

An Act for the more equal Applotment of certain Rates in the County of the City of *Dublin* and County of *Dublin* respectively. [22d *August* 1843.]

Cap. ciii.

An Act for maintaining the Railway called "The *Belfast and Cavehill* Railway," and for reviving and extending some of the Powers of the Acts relating thereto. [22d *August* 1843.]

[*Powers of* 2 & 3 *W.* 4. *c.* xxxv. *and* 5 & 6 *W.* 4. *c.* cxii. (*except as altered*) *extended to this Act,* § 1.]

Cap. civ.

An Act to incorporate the Persons having Claims upon the *Lagan* Navigation in *Ireland,* and to provide for the future Management and Improvement of the said Navigation. [22d *August* 1843.]

Cap. cv.

An Act for the Improvement of the Burgh of *Anderston* in the County of *Lanark;* for regulating the Police thereof, and of certain Lands adjacent; and for other Purposes relating thereto. [22d *August* 1843.]

[7 *G.* 4. *c.* cxix. *repealed,* § 4.]

Cap. cvi.

An Act for making and maintaining a Reservoir at *Deerhope* or *Fairliehope* on the River *North Esk* in the Counties of *Edinburgh* and *Peebles;* and for other Purposes relating thereto. [22d *August* 1843.]

Cap. cvii.

An Act to enable the *Glasgow* Marine Insurance Company to sue and be sued; and for other Purposes relating to the said Company. [22d *August* 1843.]

Cap. cviii.

An Act for more effectually repairing certain Roads in the Parishes of *Bermondsey, Rotherhithe,* and *Saint Paul* and *Saint Nicholas Deptford,* and for making several new Roads connected therewith, all in the Counties of *Surrey* and *Kent.* [22d *August* 1843.]

[4 *G.* 4. *c.* lxxxii. *repealed,* § 1.]

Cap. cix.

An Act for the better Protection of Property in the Borough of *Liverpool* from Fire. [24th *August* 1843.]

Cap. cx.

3 & 4 Vict. c. xcvi. An Act to enlarge the Powers granted by an Act of the Fourth Year of Her present Majesty, intituled *An Act for granting certain Powers to the* British *Iron Company,* and to facilitate the Sale of the Estates and Properties belonging to the said Company. [24th *August* 1843.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N. B.—*To each of these Acts is annexed a Clause in the Form following:*

"And be it further enacted, That this Act shall be printed by the several Printers to the Queen's "most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy "thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, "and others."

Cap. 1.

AN Act for inclosing Lands in the Parish of *Littleton* in the County of *Southampton.* [3d *April* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 51.; *and for Recreation of the Inhabitants,* § 52.; *and to the Rector in lieu of Glebe and Common Rights,* § 53.]

Cap. 2.

An Act for confirming a Settlement and Jointure Provision made by the Right Honourable *Thomas William* Earl of *Leicester,* of *Holkham* in the County of *Norfolk,* during his Minority, out of certain entailed Estates in the County of *Norfolk,* in favour of *Juliana Whitbread* Spinster, in contemplation of their Marriage. [11th *April* 1843.]

Cap. 3.

An Act for inclosing Lands within the Manor and Hamlet of *Grafton,* situate in that Part of the Parish of *Langford* which lies in the County of *Oxford.* [11th *April* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Recreation of the Inhabitants,* § 52.; *and to the Lord of the Manor for Right of Soil,* § 53.]

Cap. 4.

An Act for inclosing Lands in the Parish of *Great Gransden* in the County of *Huntingdon.* [9th *May* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 52.; *and for Recreation of the Inhabitants,* § 53.; *and to Lords of Manors for Right of Soil,* § 54.; *and to Impropriators in lieu of Glebe and Common Rights,* § 55. *Vicar's Allotment for Glebe to be fenced at the general Expence,* § 60. *Vicar, with Consent of Bishop and Patron, may lease his Allotment for Twenty-one Years, to commence within Twelve Months after passing the Act,* § 63.]

Cap. 5.

An Act for inclosing Lands in the Manor and Parish of *Charlwood* in the County of *Surrey.* [9th *May* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 49.; *and for Recreation of the Inhabitants,* § 50.; *and to the Lord of the Manor for Right of Soil,* § 51.]

Cap. 6.

An Act for inclosing Lands in the Township of *Cliffe-cum-Lund* in the Parish of *Hemingbrough* in the East Riding of the County of *York.* [31st *May* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for defraying the Expences of obtaining this Act,* § 57.; *and for Materials for Roads,* § 62.; *and for Recreation of the Inhabitants,* § 63.; *and to Lords of Manors for Right of Soil,* § 64.; *and for Rights of Turbary,* § 66.]

Cap. 7.

An Act for inclosing Lands in the Parish of *Chalgrove* in the County of *Oxford.* [27th *June* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 58.; *and for Recreation of the Inhabitants,* § 59.; *and to Lords of Manors for Right of Soil,* § 60.; *and to the Vicar in lieu of Glebe and Common Rights,* § 61. *Vicar's Allotment to be fenced at the general Expence,* § 65.]

Cap. 8.

An Act for inclosing Lands in the Parish of *Haddenham* in the *Isle of Ely* in the County of *Cambridge.* [27th *June* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 57.; *and for Recreation of the Inhabitants,* § 58.; *and to Lords of Manors for Right of Soil,* § 59.; *and to the Appropriator in lieu of Glebe and Common Rights,* § 60. *Glebe Allotments to be fenced at the general Expence,* § 65.; *and may be leased, with Consent of the Bishop, for Twenty-one Years, to commence within Twelve Months after passing the Act,* § 68.]

Cap. 9.

An Act for inclosing Lands in the Parish of *Great Bromley* in the County of *Essex.* [27th *June* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 51.; *and for Recreation of the Inhabitants,* § 52.; *and to the Lord of the Manor for Right of Soil, and for Timber and Demesne Lands,* § 53, 54.; *and to the Rector in lieu of Glebe and Common Rights,* § 55. *Rector's Allotment to be fenced at the general Expence,* § 60. *Rector, with Consent of Bishop and Patron, may lease his Allotment for Twenty-one Years, to commence within Twelve Months after passing the Act,* § 63.]

Cap. 10.

An Act for inclosing Lands in *Sowerby* and *Soyland* in the Parish of *Halifax* in the West Riding of the County of *York.* [27th *June* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 55.; *and for Recreation of the Inhabitants,* § 57.; *and for Peats and Turves,* § 58.; *and for Wells and Watering Places,* § 59.; *and to the Lord of the Manor for Right of Soil, and in lieu of certain Rents,* §§ 60, 61.; *and to the Overseers of the Poor of Sowerby and Soyland in aid of the Poor Rates,* § 62. *Curate's Allotment to be fenced at the general Expence,* § 66. *Curate, with Consent of Bishop and Patron, may lease his Allotment for Twenty-one Years, to commence within Twelve Months after the passing of the Act,* § 68.]

Cap. 11.

An Act for vesting the entailed Estates of *Wester Fairnie* and others in the County of *Fife,* belonging to *Francis Balfour* Esquire, in Trustees, to sell the same, or such Part thereof as may be necessary, and to apply the Price arising therefrom in the Payment of the Debts affecting or that may be made to affect the said Estates. [27th *June* 1843.]

Cap. 12.

An Act for authorizing Surrenders of certain Leases for Lives of Manors and Hereditaments in the County of *Cornwall* (late the Estate and Property of Sir *Christopher Hawkins* Baronet, deceased,) by the Tenants for Life in Possession under his Will, and other Persons, and the Acceptance of renewed Leases, with certain Exceptions and Reservations. [27th *June* 1843.]

Cap. 13.

An Act for inclosing Lands in the Parish of *Leighton Bussard* in the County of *Bedford.* [4th *July* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Recreation of the Inhabitants,* § 58.; *and to Lord of the Manor for Right of Soil,* § 59.; *and to the Prebendary in lieu of Glebe and Common Rights,* § 60.]

Cap. 14.

An Act for inclosing Lands in the several Parishes of *Eglwys-rhos, Llandudno,* and *Llangwstenin* in the County of *Carnarvon,* and in the Parish of *Llandrillo* in the Counties of *Denbigh* and *Carnarvon* or either of them. [12th *July* 1843.]

[*Powers of* 41 *G.* 3. *c.* 109. *and* 1 *&* 2 *G.* 4. *c.* 23. (*except as altered*) *extended to this Act,* § 1. *Allotment to be made for Materials for Roads,* § 57.; *and for Recreation of the Inhabitants,* § 58.; *and to the Lord of the Manor for Right of Soil,* § 59.; *and to the Rector, Vicar, and Perpetual Curates, in lieu of Glebe and Common Rights,* § 60. *Vicar's and Curate's Allotments to be fenced at the general Expence,* § 64. *Rector, Vicar, and Curates, with Consent of Bishop and Patron, may lease their Allotment for Twenty-one Years, to commence within Twelve Months from passing the Act,* § 67.]

Cap. 15.

An Act to enable *John* Lord *Gray* to borrow a certain Sum of Money upon the Security of his entailed Estates of *Gray* and *Kinfauns*; and to extinguish certain Claims for Money laid out in Improvements affecting the said Estates. [12th *July* 1843.]

Cap. 16.

An Act for the Division of the Rectory of *Walton-on-the-Hill* in the County Palatine of *Lancaster*, and for authorizing Sales and Conveyances in Fee, or Leases for long Terms of Years, for Building Purposes, and other Dispositions, to be made of the Lands and Revenues belonging to the said Rectory, and to the Vicarage of *Walton-on-the-Hill*, for the Endowment of such separate Rectories and the Augmentation of such Vicarage. [28th *July* 1843.]

Cap. 17.

An Act to enable the Most Noble *James* Marquess of *Abercorn* to uplift certain Sums of Money lying in Bank, and to borrow upon the Security of the entailed Estates of *Paisley* and *Duddingstone* such further Sum as may be necessary, for Repayment to him of a Portion of the Monies laid out on the Improvement of the said Estates; and to enlarge the Power of feuing the same. [28th *July* 1843.]

Cap. 18.

An Act for authorizing the Disposition, by way of Partition, Lease, or Sale, of certain undivided Parts or Shares belonging in Possession and in Expectancy to the Ladies *Horatia Elizabeth* and *Ida Anna Waldegrave*, Infants, of and in the Manors of *Whittlesey* otherwise *Whittlesea Saint Mary* and *Saint Andrew*, and the Rectories of *Whittlesey* otherwise *Whittlesea Saint Mary* and *Saint Andrew*, and certain Rent-charges created in Commutation of Tithes, Messuages, Lands, and other Hereditaments in the *Isle of Ely* in the County of *Cambridge*. [28th *July* 1843.]

Cap. 19.

An Act for vesting in *Charles Noel Welman* Esquire and his Heirs certain Estates in the Parishes of *Trull*, *Pitminster*, *Wilton*, and *Taunton Saint Mary Magdalen*, in the County of *Somerset*, holden under the Marriage Settlements of *Charles Noel* Earl of *Gainsborough* and *Elizabeth* his first Wife, deceased, discharged from the Uses of the same Settlements and of all subsequent Assurances, and for substituting and settling certain Estates in the Parish of *Weston Zoyland* in the same County in lieu thereof and to the like Uses. [1st *August* 1843.]

Cap. 20.

An Act to authorize the granting of Building and Repairing Leases of Lands in the County of *Kent* formerly belonging to *Francis M'Culloh*, *George Boone Roupell*, and *James Browne Horner* in undivided Shares. [1st *August* 1843.]

Cap. 21.

An Act for enlarging the Power to grant Building Leases contained in the Will of *John Wilkinson* Esquire, Doctor of Physic, deceased; and for other Purposes. [1st *August* 1843.]

Cap. 22.

An Act for authorizing Leases and Setts to be granted of and in an Estate in the Parish of *Newlyn* in the County of *Cornwall*, devised by the Will of *John Oxnam* deceased to *John Oxnam* for his Life, with divers Remainders over. [1st *August* 1843.]

Cap. 23.

An Act for settling and establishing the Rights of the resident Freemen and resident Widows of Freemen of the Borough of *Berwick-upon-Tweed* in the Property vested in the Mayor, Aldermen, and Burgesses of that Borough; and for other Purposes. [1st *August* 1843.]

Cap. 24.

An Act for rendering valid a certain Award as to the Commons of *Saggart* within the Parish of *Saggart* in the County of *Dublin*. [10th *August* 1843.]

Cap. 25.

An Act for authorizing the Sale of Portion of the Real Estate devised by the Will of *Richard Fox* of *Foxhall* in the County of *Longford*, Esquire, deceased, and vesting the Residue thereof in *Richard Maxwell Fox* of *Foxhall* aforesaid, Esquire, his Heirs and Assigns, in Fee Simple, and for vesting certain Lands and Hereditaments of the said *Richard Maxwell Fox* in the Right Honourable *Henry* Lord Baron *Farnham*, in lieu thereof, to the Uses and upon the Trusts of the said Will. [10th *August* 1843.]

Cap. 26.

An Act to vest certain Parts of the entailed Estate of *Duchall* in the County of *Renfrew* in Trustees, to sell the same, and apply the Price thereof in discharging the Debts and Provisions affecting the said entailed Estate, and, if necessary, in purchasing the Teinds thereof. [10th *August* 1843.]

Cap. 27.

An Act to confirm Two existing Leases, and to enable the Reverend *James White*, and the Persons for the Time being entitled to certain Estates situate in the Parish of *Bonchurch* in the *Isle of Wight*, in the County of *Southampton*, devised by the Will of *Charles Fitzmaurice Hill* Esquire, deceased, to accept Surrenders of existing Leases, and to grant new Leases in lieu thereof. [22d *August* 1843.]

Cap. 28.

An Act for vesting Part of the settled Estates of the Right Honourable *John* Earl of *Shrewsbury*, in the Counties of *Oxford*, *Chester*, *Salop*, *Worcester*, and *Stafford*, in Trustees, to be sold, and for laying out the Monies to arise by such Sale in the Purchase of other Lands and Hereditaments, to be settled in lieu thereof to the same Uses and subject to the same Restrictions; and for other Purposes therein mentioned. [22d *August* 1843.]

Cap. 29.

An Act for enabling certain Persons, on behalf of *John Weston* (a Person of unsound Mind) and *Sarah* his Wife and of *John Jones* (also a Person of unsound Mind), to join in carrying into effect a Compromise and Arrangement with other Parties for a Division of the Real Estates of *Arthur Gramer Miller* deceased, according to a Rule of Her Majesty's Court of Exchequer of Pleas. [24th *August* 1843.]

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AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE SIXTEENTH,

Containing the Acts passed 5 & 6 Vict. and 6 & 7 Vict. (1842, 1843.)

☞ In this Index the Acts which relate to Ireland or Scotland exclusively are classed under those General Heads; but arranged in Subdivisions according to the several Subjects, with References to and from other Parts of the Index.

Other Acts respecting particular Places are to be looked for, according to their several Subjects, by referring to the General Heads, under which the Acts are respectively arranged in Alphabetical Order of the Names of Places; such, for example, are *Bridges, Canals, County Rates, Gaols, Harbours, Paving, &c.:* — the Acts under the Titles *Inclosures* and *Turnpikes*, are classed in Alphabetical Order of the *Counties* in which the Inclosure takes place, or the Road begins.

All the Acts relating to Individuals or to Corporations are arranged in Alphabetical Order of the Names of the Persons or Corporations, under the general Title, *Local & Personal Acts.*

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Minute References are also made from one Head to another; and from the various Heads, under which the Subject may be looked for, to the Head under which the Statute is actually entered.

(*P.r*) denotes Private Acts printed by the Queen's Printer, the printed Copies whereof may be given in Evidence.

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20. For the Relief of Persons doubly assessed to the Property and Income Tax, § 8.

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1. For consolidating and amending several of the Laws relating to Attornies and Solicitors practising in *England* and *Wales*, 6 & 7 *Vict. c.* 73.
2. Former Acts repealed, § 1. [See *Statutes repealed*, § IX.]
3. No Person to act as an Attorney or Solicitor unless admitted and enrolled, § 2.
4. No Person to be admitted an Attorney or Solicitor unless he shall have served a Clerkship of Five Years. Proviso as to Courts of *Lancaster* and *Durham*, § 3.
5. No Attorney to have more than Two Clerks at one Time, or to take or retain any Clerk after discontinuing Business nor whilst Clerk to another, § 4.
6. In case Attorney become bankrupt or insolvent, or be imprisoned, § 5.
7. Persons bound for Five Years may serve One Year with a Barrister or Special Pleader, and One Year with a *London* Agent, § 6.
8. Any Person who has taken a Degree at *Oxford*, *Cambridge*, *Dublin*, *Durham*, or *London*, may act as an Attorney or Solicitor, upon having served a Clerkship of Three Years. One Year with Agent, § 7.
9. Affidavit to be made and filed within Six Months of Execution of Articles, and the Articles to be enrolled, § 8.
10. If not filed within Six Months the Service to reckon from the Day of filing, unless, &c., § 9.
11. Affidavit to be produced on applying for Admission, § 10.
12. Book to be kept for entering the Substance of Affidavits, with the Names, &c. of Attorney and Clerk, &c. which may be searched, § 11.
13. How Clerks to be employed, § 12.
14. Clerks whose Masters have died or left off Practice may enter into fresh Contracts for the Residue of their Term, § 13.
15. Clerks before Admission to make Affidavit of having served, § 14.
16. Persons applying for Admission as Attornies to be examined as to Fitness and Capacity. Oaths to be administered, § 15.
17. Judges may appoint Examiners, § 16.
18. Master of the Rolls before admitting any Person as a Solicitor to inquire as to his Fitness and Capacity, § 17.
19. The Master of the Rolls jointly with the Judges may appoint Examiners touching the Admission of Persons to act both as Attornies and Solicitors, § 18.
20. Attornies and Solicitors, before Admission, to take Oath, § 19.
21. The proper Officers for filing Affidavits of the Execution of Articles of Clerkship, and for having the Care of the Rolls. Names of Attornies to be enrolled in alphabetical Order, § 20.
22. Appointment of the incorporated Law Society as Registrar of Attornies, § 21.
23. Commissioners of Stamps not to grant any Certificate until Registrar has certified that the Person applying is entitled thereto. Commissioners to deliver all such Certificates yearly to the Registrar endorsed with the Date of granting Certificate, § 22.
24. On Application for Certificate a Declaration to be signed and entered in a Book, § 23.
25. On Registrar's Refusal, Application to be made to Court, § 24.

26. In

26. In case of Neglect to obtain a stamped Certificate Application to be made to the Court or Judge, § 25.
27. Persons practising without Certificate incapable of recovering Fees, § 26.
28. Persons duly admitted in one Court capable of practising in all other Courts, on signing the other Rolls. Persons duly admitted in Chancery capable of practising in Bankruptcy and in all Inferior Courts of Equity, § 27.
29. Defects in the Service, &c. of Attornies not to disqualify Persons who have served them, § 28.
30. Applications for striking Attornies off the Roll, for Defect in Articles, &c., § 29.
31. Fee for registering Articles and Examination and Admission, and for Entry and Certificates. Increase or Diminution of Fees. Appropriation of Fees, § 30.
32. Attornies not to commence or defend Suits if Prisoners, § 31.
33. Nor to act as Agents for Persons not qualified, &c., § 32.
34. Nor be a Justice of the Peace, § 33.
35. Proviso for Places having Justices by Charter, § 34.
36. Prohibiting Persons not enrolled from suing out Writs, &c., § 35.
37. Prohibiting Persons unqualified from acting in County Courts, § 36.
38. Attornies and Solicitors not to commence an Action for Fees till One Month after Delivery of their Bills. Reference of Bills, whether relating to Business transacted in Court or not, for Taxation. Taxation after One Month. Taxation after Twelve Months, under special Circumstances. Payment of Costs of Taxation. Courts may order Attorney or Solicitor to deliver his Bill, and deliver up Deeds, &c. Evidence of Delivery of Bill. Power to Judge to authorize Action before Expiration of Month, § 37.
39. Bills may be taxed upon the Application of Third Parties, § 38.
40. Lord Chancellor may direct Taxation of Bills chargeable on Executors, &c., § 39.
41. Copy of Bill to be delivered to Person making Application for Reference for Taxation. No Re-taxation, § 40.
42. Taxation of Bill after Payment, § 41.
43. Power for Taxing Officer to request Officers of other Courts to tax Portions of the Bill, § 42.
44. Applications for taxing Bill of Costs, how to be made. Certificate of Taxation to be final. Judgment may be entered, § 43.
45. Persons whose Period of Service has expired before Commencement of this Act, but not admitted, may, if qualified, be admitted under it, § 44.
46. Attornies, &c. of Duchy Chamber of *Lancaster* at *Westminster*, &c. to be enrolled as Attornies of Chancery, &c. without Examination, on Payment of Duty. Until Attornies of *Lancaster* and *Durham* are admitted in Superior Courts, Attornies may act as their Agents, § 45.
47. To what Clerks the Act is not to extend, § 46.
48. To what Solicitors the Act is not to extend, § 47.
49. Meaning of certain Words in the Act, § 48.
50. Schedules.

Australia.

1. For regulating the Sale of Waste Land belonging to the Crown in the *Australian* Colonies, 5 & 6 *Vict. c.* 36.
2. Waste Lands of the Crown to be disposed of according to the Regulations contained in this Act, § 1.
3. Not to be alienated except by Sale, in the Manner hereinafter prescribed, § 2.
4. Exception of Lands required for public Uses; and with respect to Military or Naval Settlers, § 3.
5. Lands to be surveyed before sold, § 4.
6. Governor authorized to convey the Lands, § 5.
7. Quarterly Sales by Auction, and Notice thereof, § 6.
8. The Lands offered for Sale to be distinguished into Classes and Lots, § 7.
9. Lowest upset Price, § 8.
10. Manner of raising lowest upset Price, § 9.
11. Except as before provided, Price not to be reduced, § 10.
12. The Governor may name a different upset Price for the Special Country Lots, and Town and Suburban Lots, § 11.
13. What Lands may and may not be sold otherwise than by public Auction, § 12.
14. Purchase Money when to be paid, § 13.
15. Colony may be divided into distinct Divisions for the Sale of Lands, § 14.
16. Conditions on which Blocks of Land comprising 20,000 Acres or more may be sold, § 15.
17. Payments in the United Kingdom for Land in the Colonies, § 16.
18. Pasture and Timber Licences, § 17.
19. Expences of Survey, Management, and Sale to be the primary Charge upon Land Revenues, § 18.
20. Gross Proceeds of Sales of Land to be applied to the public Service of the Colony, and One Half to be appropriated to the Purposes of Emigration, § 19.
21. Rights under existing Contracts saved, § 20.
22. Commencement of the Operation of this Act, § 21.
23. Definition of the Words "*Australian* Colonies," so far as regards this Act, § 22.
24. Definition of the Terms "Governor," "Proclamation," and "Waste Lands," § 23.
25. Schedule.
26. To provide for the better Government of *South Australia*, 5 & 6 *Vict. c.* 61.
27. 4 & 5 *W.* 4. *c.* 95. and 1 & 2 *Vict. c.* 60. repealed, § 1.
28. All Laws passed under the said Acts confirmed. Saving, § 2.
29. Continuance of Actions by or against Colonization Commissioners, § 3.
30. Convicts not to be sent to *South Australia*, § 4.
31. Legislative Council may be established, § 5.
32. General Assembly may be convened, § 6.
33. Regulating Rate of Interest on Commissioners Bonds, § 7.
34. Interest may be charged on Consolidated Fund of the United Kingdom, § 8.
35. The Sum of 155,000*l.* advanced under 4 & 5 *Vict. c.* 13. to be taken to have been granted in aid of the Revenues of *South Australia*, § 9.
36. Debentures on the Revenues of the Colony may be issued, § 10.
37. Civil List may be reserved, § 11.
38. When Act shall come into operation, § 12.
39. Meaning of Governor, § 13.
40. To continue until the Thirty first Day of *December* One thousand eight hundred and forty-four, and to the End of the then next Session of Parliament, an Act of the Tenth Year of King *George* the Fourth for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*, 5 & 6 *Vict. c.* 88.

Austria, See Slave Trade, 103.

B.

Bangor, See Saint Asaph.

Banking Companies, See Joint Stock Banking Companies.

Bankruptcy.

1. For Amendment of the Law of Bankruptcy, *5 & 6 Vict.* c. 122.
2. Commencement of this Act, § 1.
3. Laws at variance with this Act repealed, § 2.
4. Petitioning Creditor's Bond may be dispensed with, § 3.
5. Fiats in Bankruptcy to be transmitted direct to the Court authorized to act in the Prosecution thereof, and forthwith opened, unless postponed by the Court. In case Fiat is not opened by Petitioning Creditor in the Time allowed. No Fiat to be issued to Petitioning Creditor, § 4.
6. Person against whom a Fiat in Bankruptcy has issued, on Proof of probable Cause for believing that he is about to quit England, or to remove or conceal his Goods, with Intent to defraud Creditors, may be arrested, § 5.
7. Any Person so arrested may apply for his Discharge forthwith. Court may discharge the Person or not. Order of Court may be appealed from, § 6.
8. No Person liable upon an Act committed more than Twelve Months, § 7.
9. Act of Bankruptcy concerted between Bankrupt and Creditor, &c. not to invalidate Fiat, § 8.
10. Requisite Amount of Petitioning Creditor's Debt, § 9.
11. Persons specially named liable to become Bankrupts, § 10.
12. Creditor of a Trader making Affidavit of his Debt and of his having required Payment, Court may summon the Trader, § 11.
13. Manner of proceeding on Summons of Trader by a Creditor, § 12.
14. Trader not attending Summons, or refusing to admit the Demand, and not making Deposition of Belief of a good Defence thereto, and not paying or compounding within a certain Time, or giving Bond for Payment, to be deemed an Act of Bankruptcy, § 13.
15. Trader signing an Admission of Demand in Form prescribed, and not paying, securing, or compounding within a certain Time, an Act of Bankruptcy, § 14.
16. Trader admitting Part only of a Demand, and not making Deposition of a good Defence to the Residue, and not paying, securing, or compounding for Sum admitted; and, as to Residue, not paying or compounding, or entering into Bond to pay, any Sum recovered, with Costs, an Act of Bankruptcy, § 15.
17. What shall be deemed a Refusal of Admission of Debt. Court may enlarge the Time for Admission of Demand, § 16.
18. Admission of Debt signed elsewhere than in Court, if attested by Attorney of Trader, may be filed, and have the same Force as an Admission signed by a Trader on his Appearance in Court under the Summons, § 17.
19. Trader summoned on Affidavit of Debt to have such Costs as the Court shall think fit, § 18.
20. Wherever a Creditor (Plaintiff) shall not recover the Amount sworn to in his Affidavit of Debt filed against a Trader, if such Affidavit be made for such Amount without probable Cause the Trader (Defendant) shall be entitled to Costs, § 19.
21. Trader not paying, securing, or compounding for a a Judgment Debt, upon which the Plaintiff might sue out Execution within Fourteen Days after Notice requiring Payment, an Act of Bankruptcy, § 20.
22. Trader disobeying Order of any Court of Equity, or Order in Bankruptcy or Lunacy, for Payment of Money, after Service of Order for Payment on a peremptory Day fixed, an Act of Bankruptcy, § 21.
23. Trader filing a Declaration of Insolvency in the Office of the Secretary of Bankrupts an Act of Bankruptcy, § 22.
24. Person adjudged Bankrupt to have Notice thereof before Adjudication advertised, and to be allowed Five Days to show Cause against Adjudication; if Petitioning Creditor's Debt, Trading, or Act of Bankruptcy appear insufficient, Adjudication to be annulled; but if no Cause shown for annulling Adjudication, Notice to be advertised, and Sittings appointed for Surrender. With Consent of Bankrupt, Adjudication may be advertised sooner. Bankrupt to be free from Arrest. Examination may be adjourned, § 23.
25. If Bankrupt shall not proceed to dispute the Fiat, and prosecute with Effect, the Gazette to be conclusive Evidence of the Bankruptcy as against the Bankrupt, and against Persons whom the Bankrupt might have sued had he not been adjudged Bankrupt, saving present Rights for which any Proceedings are pending, § 24.
26. Deposition of deceased Witness of Petitioning Creditor's Debt, Trading, or Act of Bankruptcy to be Evidence of the Matters therein contained, § 25.
27. Provision for Debtor to the Bankrupt's Estate paying the Debt into Court, when sued by the Assignees within the Time for Bankrupt to dispute, § 26.
28. Audits and Dividends to be had and made whenever the Court think fit after the Time appointed for the Bankrupt's last Examination, § 27.
29. Court may order Three Months Wages or Salary to Clerks or Servants, § 28.
30. Court may order Wages not exceeding 40*s.* to Labourer or Workman, § 29.
31. Search Warrants may be granted, § 30.
32. In Cases of a Member of a Firm being bankrupt, the Court, upon Application, may authorize Actions or Suits in Name of the Assignee of the Bankrupt and the remaining Partner. Partner to have Notice of such Application, and may show Cause against it. Court may direct Partner to have Part of Proceeds, § 31.
33. Bankrupt not surrendering, and submitting to be examined or making Discovery of his Estate and Effects; or not delivering up his Estate, Books, &c.; or concealing, &c. to the Value of 10*l.*, guilty of Felony, and liable to Transportation, or Imprisonment, with or without hard Labour, § 32.
34. Court may enlarge the Time for the Bankrupt surrendering himself, § 33.
35. Bankrupt destroying or falsifying any of his Books, &c., or making false Entries, guilty of a Misdemeanor, and liable to Imprisonment, with or without hard Labour, § 34.
36. Bankrupt, within Three Months of his Bankruptcy, having obtained Goods on Credit under false Pretence, or removing, concealing, &c. Goods so obtained, guilty of a Misdemeanor, § 35.
37. Prosecution against Bankrupt for any Offence under this Act may be ordered by the Court acting in Prosecution of the Fiat, § 36.

38. Bankrupt

38. Bankrupt may be discharged by Certificate of Conformity in manner herein-after prescribed. Discharge of Bankrupt not to release or discharge a Partner or Person jointly bound, § 37.
39. Bankrupt not entitled to Certificate if he has lost by Gaming 20*l.* in One Day, or 200*l.* within Twelve Months, or 200*l.* by Stock-jobbing; or concealed or destroyed Books, &c.; or made fraudulent Entries; or concealed any Property; or permitted fictitious Debts to be proved, § 38.
40. Mode of obtaining Certificate of Conformity. Certificate not to be a Discharge unless the Court certify a full Conformity, § 39.
41. Contracts or Securities to induce Creditors to forbear Opposition to be void, § 40.
42. Penalty for obtaining Money, Goods, &c. as an Inducement to forbear Opposition, or consenting to Allowance or Confirmation of Certificate, § 41.
43. Bankrupt having obtained his Certificate, free from Arrest. Certificate to be Evidence of the Bankruptcy and Proceedings. Bankrupt in execution may be ordered to be discharged, § 42.
44. Bankrupt not liable upon any Promise to pay Debt discharged by Certificate, unless such Promise be in Writing, § 43.
45. Allowance to Bankrupt: 5 *per Cent.*, and not exceeding 400*l.*, as soon as 10*s.* paid in the Pound; 7½ *per Cent.*, and not exceeding 500*l.*, if 12*s.* 6*d.*; 10 *per Cent.*, and not exceeding 600*l.*, if 15*s.* Allowance not payable till Twelve Months after Date of Fiat, and then only if requisite Amount of Dividends paid. If at Expiration of Twelve Months the Dividends paid be under 10*s.*, Bankrupt may be allowed not exceeding 3 *per Cent.*, and 300*l.*, § 44.
46. One Partner may receive Allowance, though others not entitled, § 45.
47. Fiats in Bankruptcy, not directed to the Court of Bankruptcy, to be directed to some one of the Courts authorized to act in the Prosecution of Fiats in the Country, to be prosecuted in such Court, § 46.
48. Fiats in the Country, and Proceedings thereon, to be transmitted to Court of Bankruptcy, to be there filed, § 47.
49. Appointment of Official Assignees. Their Duty, § 48.
50. Proviso restricting the Authority of Official Assignees, § 49.
51. Lord Chancellor may remove Official Assignees, and may fill up Vacancies in their Number, § 50.
52. Official Assignee invested with the same Powers, &c. as Official Assignees under former Act. His Remuneration, § 51.
53. Bankruptcies depending in the Country to be removed into such of the Courts authorized to act in the Prosecution of Fiats in Bankruptcy as the Lord Chancellor may think fit, § 52.
54. Power to appoint Official Assignees to act with the existing Assignees under such Bankruptcies, and to whom the latter shall deliver over Effects, § 53.
55. To exempt Official Assignee from personal Liability, § 54.
56. Debtor and Creditor Account to be furnished by Official Assignee to Creditor's Assignee before final Dividend, § 55.
57. Like Sums to be paid under Fiats prosecuted in the Country as under Fiats prosecuted in *London*, § 56.
58. Like Sums to be paid on Fiats moved into the Court of Bankruptcy, or into any of the Country Courts, under which the Choice of Assignees shall have taken place, as on Commissions moved into the Court of Bankruptcy under like Circumstances, § 57.
59. Compensation to such existing Commissioners in the Country as the Lords of the Treasury deem entitled thereto, § 58.
60. Her Majesty may appoint additional Commissioners of the Court of Bankruptcy to act in the Prosecution of Fiats in Bankruptcy in the Country, in such Districts as Her Majesty in Council shall think fit, § 59.
61. Her Majesty may appoint Successors to additional Commissioners, § 60.
62. Her Majesty may appoint additional Deputy Registrars for the Country, § 61.
63. Additional Commissioners and Deputy Registrars to hold their Offices during good Behaviour, and to be subject to like Privileges, Prohibitions, &c. as the present Commissioners and Deputy Registrars, § 62.
64. Accountant in Bankruptcy, Registrars, Official Assignees, &c. to be exempt from serving on Juries, or in any parochial Office, § 63.
65. The Court of Review may be formed by One Judge of the Court, § 64.
66. Rank, &c. of Judges of Court of Review, § 65.
67. Jurisdiction of Courts acting under Fiats in Bankruptcy, § 66.
68. Before whom Affidavits are to be sworn, § 67.
69. Court may take Evidence *vivâ voce* or upon Affidavit, § 68.
70. Costs may be awarded, § 69.
71. Rules to be made for regulating the Forms of Proceedings and Practice to be observed in the Courts authorized to act under Fiats in Bankruptcy, § 70.
72. The Building for the Transaction of Business in Bankruptcy in *London* vested in the Commissioners of the Court of Bankruptcy for the Time being, appointed under 1 & 2 *W.* 4. *c.* 56; 1 & 2 *G.* 4. *c.* 115.—§ 71.
73. The Building to be called the Court of Bankruptcy, § 72.
74. Registrar to enter in Books an Abstract of all Proceedings filed in the Court, in a Form to be sanctioned by the Commissioners of the Court of Bankruptcy in *London*, and approved by the Lord Chancellor, with an Alphabetical Index, § 73.
75. Office of Clerk of Enrolments to Court of Bankruptcy, on Vacancy, to be abolished, and the Duties to be performed by Registrar in *Basinghall Street*, § 74.
76. Registrar to pay Fees for entering Fiats, &c. of Record into the Bank of *England*, § 75.
77. Salaries to Judge, Commissioners, and other Officers of the Court of Bankruptcy, to be paid out of the Fund intituled "The Secretary of Bankrupts Account," § 76.
78. Power to Lord Chancellor to order Retiring Annuity to Judge and Commissioners of the Court of Bankruptcy and their Successors, § 77.
79. Provision for Salary of Accountant in Bankruptcy; for Appointment of such additional Clerks to such Accountant, or to the Registrar, as the Lord Chancellor may think fit; and also for Expences to be incurred for the Purposes of the Act. The Courts provided for the Purposes of this Act to vest in the respective Commissioners. Charge for the Use of the Court, § 78.
80. Warrants to be under Hand and Seal, and every Summons to be in Writing under the Hand of a Commissioner of the Court, § 79.
81. How Summons may be served where the Party is keeping out of the Way, § 80.
82. Punishment of Persons giving false Evidence, or swearing or affirming any thing which shall be false, § 81.

83. Application

83. Application of Forfeitures, § 82.
84. Charges of Auctioneers, Appraisers, Valuers, and Accountants, to be settled by the Court, § 83.
85. Power to Lord Chancellor to order retiring Pension to Accountant in Bankruptcy, Registrars, &c., § 84.
86. Courts acting in the Prosecution of Fiats in Bankruptcy to be auxiliary to each other for Proof of Debts and Examination of Witnesses, § 85.
87. Lord Chancellor may authorize any Commissioner or Deputy Registrar of the Court in *London*, or other qualified Person, to act for or in aid of any Country Commissioner or Deputy Registrar, and *vice versâ*; or any Country Commissioner or Deputy Registrar of one District to act for or in aid of any Country Commissioner or Deputy Registrar of any other District, as may be required, § 86.
88. Travelling Expences, &c. of Commissioners to be paid out of "The Bankruptcy Fund Account," and the Amount thereof to be in the Discretion of the Lord Chancellor, § 87.
89. Secretary of Bankrupts to receive and account for a certain Fee, § 88.
90. Fees to be taken and accounted for by the chief Registrar, § 89.
91. Fees to be taken and accounted for in the Country District Courts, § 90.
92. Power to Lord Chancellor to reduce Fees, § 91.
93. Returns to be made to Parliament annually by Accountant in Bankruptcy and by Official Assignees, § 92.
94. Construction of Act, § 93.
95. Schedules.

Beer, See Malt (Roasted).

Bills of Exchange.

1. To continue, until the First Day of *January* One thousand eight hundred and forty-six, an Act for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury, 6 & 7 *Vict. c.* 45.

Bishops, See Archbishops.

Bishops (Indian).

1. To enable Her Majesty to grant Furlough Allowances to the Bishops of *Calcutta*, *Madras*, and *Bombay* who shall return to *Europe* for a limited Period after residing in *India* a sufficient Time to entitle them to the highest Scale of Pension, 5 & 6 *Vict. c.* 119.
2. Empowering Her Majesty to grant Allowances to *East India* Bishops absent on Leave, § 1.
3. Further Furlough and Allowance may be granted, § 2.
4. Allowance to but One Bishop at a Time, § 3.
5. Additional Allowance to Bishops performing Functions of Bishops absent on Furlough, § 4.

Bolivia (Republic of), See Slave Trade, 49.

Bonded Corn, See Wheat.

Borough Rates, See Rates.

Boroughs.

1. To confirm the Incorporation of certain Boroughs, and to indemnify such Persons as have sustained Loss thereby, 5 & 6 *Vict. c.* 111.
2. Confirmation of certain Charters and Proceedings in pursuance thereof, § 1.
3. Compensation to certain Officers, § 2.

Bounties of Customs, See Customs, 55–57; 60–62.

Bribery.

1. For the better Discovery and Prevention of Bribery and Treating at the Election of Members of Parliament, 5 & 6 *Vict. c.* 102.
2. Election Committee authorized to ascertain the Cause of the Abandonment of Charges of Bribery, and to report, § 1.
3. If a Committee recommend further Inquiry, the Speaker to nominate an Agent to prosecute, and Committee to re-assemble for Inquiry, § 2.
4. A Committee so re-assembled to possess all the Powers of Election Committees, § 3.
5. A Petition alleging general Bribery, if presented within the Times herein mentioned, shall be referred to the General Committee, and proceeded with as other Petitions. Costs, § 4.
6. Committee not to proceed on any Case of Bribery unless committed within Three Months before presenting Petition, § 5.
7. Proceedings in case an Election Petition is withdrawn before a Committee is appointed for trying the same, § 6.
8. Petitioners to enter into Recognizance, § 7.
9. Recognizances forfeited, how recoverable, § 8.
10. Recognizances how to be entered into, § 9.
11. Recognizances, when entered into, to be reported to the Speaker, and public Notice thereof to be given, § 10.
12. Objections to Recognizances, by whom and within what Time to be taken, § 11.
13. Proceedings for determining Objections to Recognizances, § 12.
14. Committees under this Act not to have Power to affect the Seat in Parliament, § 13.
15. For defraying the Expences of Prosecution, § 14.
16. Committee to order by whom Costs are to be paid, § 15.
17. Costs how to be ascertained, § 16.
18. Recovery of Costs, § 17.
19. Costs to be a Debt to Her Majesty, § 18.
20. Persons paying Costs may recover a Proportion thereof from other Persons liable thereto, § 19.
21. Payment of Head Money, &c. declared Bribery, § 20.
22. Act to apply to Elections subsequent to 1st June 1842, § 21.
23. For preventing Treating, § 22.

See *Indemnity*, 2; *Sudbury (Borough of)*.

Bridges and Ferries.

1. *Argyll* (Shire of). Making, &c. Highways, Roads, Bridges, and Quays, and regulating Ferries, and other Purposes, 6 & 7 *Vict. c.* xcvii.

2. *Bristol, Saint Philip's Bridge.* Amending Act relating to, and improving the Approaches to the said Bridge, 5 & 6 *Vict.* c. xliii.
3. *Burntisland.* Establishing a Ferry between, and *Granton*, and other Purposes, 5 & 6 *Vict.* c. xci.
4. *Clyde* River. Maintaining a Bridge over, at *Dalmarnock*, and other Purposes (repealing Acts), 5 & 6 *Vict.* c. cxii.
5. *Hungerford* and *Lambeth* Suspension Foot Bridge. Amending Act relating to, and granting further Powers to the Company, 6 & 7 *Vict.* c. xix.
6. *London Bridge.* Further extending the Approaches to, and Avenues to the Royal Exchange, and amending Acts relating thereto, 5 & 6 *Vict.* c. ci.
7. *Tay* River. Amending Acts for erecting, &c. the Ferries and Passages across the River, and establishing a floating Bridge or Bridges over the said River, with proper Landing Places and Approaches thereto, 6 & 7 *Vict.* c. lxxxiv.
8. *Windsor Bridge.* Amending Act relating to, 5 & 6 *Vict.* c. viii.
9. *Woodside Ferry.* Authorizing the Purchase of, by the Commissioners for improving the Township of *Birkenhead*, and amending Acts, 5 & 6 *Vict.* c. v.

C.

Canada.

1. For guaranteeing the Payment of the Interest on a Loan of 1,500,000*l.* to be raised by the Province of *Canada*, 5 & 6 *Vict.* c. 118.
2. Her Majesty may guarantee a Loan of 1,500,000*l.*, to be charged upon the Consolidated Fund of the Province, § 1.
3. Advances out of Consolidated Fund of United Kingdom to be charged on Consolidated Revenue Fund of *Canada*, § 2.
4. Certificate of Amount paid to be sent to *Canada*, § 3.
5. Account to be laid before Parliament, § 4.

See *Wheat.*

Canals, Rivers, Navigations, Railways, &c.

1. *Ballochney* Railway. Enabling the Company to make certain new Works, and amending Acts relating to the said Railway, 6 & 7 *Vict.* c. l.
2. *Birmingham and Derby Junction* Railway. Enabling the Company to raise a further Sum of Money, 5 & 6 *Vict.* c. xvi.
3. ——— *and Gloucester* Railway. Enabling the Company to raise a further Sum of Money, and amending Acts relating to the Railway, 6 & 7 *Vict.* c. liii.
4. ——— and *Liverpool* Junction Canal Navigation. Granting further Powers to the Company, 5 & 6 *Vict.* c. xxx. [Amended by 5 & 6 *Vict.* c. xl.]
5. ——— Regulating the Communication between the above-named Navigation and the *Staffordshire* and *Worcestershire* Canal Navigation, 5 & 6 *Vict.* c. xl.
6. *Bolton and Preston* Railway. Facilitating the raising of Capital for the Completion of, 5 & 6 *Vict.* c. xv.
7. *Brandling Junction* Railway. Enabling the Company to raise a further Sum of Money, 5 & 6 *Vict.* c. iv.
8. *Bristol and Gloucester* Railway. Granting further Powers to the Company, 5 & 6 *Vict.* c. xlvi.
9. ——— Amending Acts relating to, and making new Branch out of same, 6 & 7 *Vict.* c. liv.
10. *Burry, Loughor*, and *Lliedi* Rivers. Amending Act for the Improvement of the Navigation, and to improve the Harbour of *Llanelly*, 6 & 7 *Vict.* c. lxxxviii.
11. *Cheltenham and Great Western Union* Railway. Amending Acts relating to, 5 & 6 *Vict.* c. xxviii.
12. *Clarence* Railway. Enabling the Company to make an Issue of new Shares, and amending Acts relating to the Railway, 6 & 7 *Vict.* c. xlvi.
13. *Cornwall.* Making Railway from *Lamellion Bridge* in the Parish of *Liskeard* to *Tokenbury Corner* in the Parish of *Linkinhorne*, with a Branch from *Crow's-nest* to *Cheesewring*, 6 & 7 *Vict.* c. xliii.
14. *Cromford and High Peak* Railway. Enabling the Company to grant Mortgages for Part of their floating Debts, and amending Act relating to such Railway, 6 & 7 *Vict.* c. xviii.
15. *Dundee and Arbroath* Railway. Enabling the Company to raise a further Sum of Money, and amending Act, 5 & 6 *Vict.* c. lxxxiii.
16. *Edinburgh and Glasgow* Railway. Amending Acts, and granting further Powers to the Company, 5 & 6 *Vict.* c. xii.
17. ——— and *Glasgow Union* Canal. Amending Acts, and conferring further Powers on the Company, 6 & 7 *Vict.* c. lv.
18. *Ellesmere* and *Chester* Canal Navigation. Amending Acts relating to, 5 & *Vict.* c. xxxiii.
19. *Faversham Creek.* Improving the Navigation of, 5 & 6 *Vict.* c. xlii. [Amended by 6 & 7 *Vict.* c. xxix.]
20. *Forth* and *Clyde* Navigation. Amending Act relating to, and enlarging and making Reservoirs for better supplying the Navigation with Water, and enabling the Company to purchase the *Forth* and *Cart* Junction Canal, 5 & 6 *Vict.* c. xli.
21. *Forth* River. Improving the Navigation from *Alloa* to *Stirling*, and Works connected therewith, 6 & 7 *Vict.* c. xlvii.
22. *Glasgow, Paisley, Kilmarnock, and Ayr* Railway. Amending Acts relating to, 5 & 6 *Vict.* c. xxix.
23. ——— *Paisley, and Greenock* Railway. Amending Acts, and granting further Powers to the Company, 6 & 7 *Vict.* c. xlix.
24. *Great North of England* Railway. Abandonment of a Portion of the Line, and amending Acts relating thereto, 5 & 6 *Vict.* c. lxxxiv.
25. ——— Authorizing certain Alterations in a Portion of the Line, and vesting the same in the *Newcastle and Darlington Junction* Railway Company, 6 & 7 *Vict.* c. viii.
26. ——— *Clarence, and Hartlepool Junction* Railway. Amending Act, 5 & 6 *Vict.* c. xvii.
27. ——— Making Branch Railway, and amending Acts, 6 & 7 *Vict.* c. lxxxii.
28. *Great Western* Railway. Making Railway from, to the City of *Oxford*, 6 & 7 *Vict.* c. x.
29. *Hull and Selby* Railway. Enabling the Company to raise a further Sum of Money, and amending Act, 6 & 7 *Vict.* c. vii.
30. *Lancaster and Preston Junction* Railway. Amending Acts relating to, 6 & 7 *Vict.* c. iv.
31. *Liverpool and Manchester* Railway. Enabling the Company to extend the Line, and amending Acts relating to the Railway, 5 & 6 *Vict.* c. cviii.
32. *London and Birmingham* Railway. Making a Branch from, to *Warwick and Leamington*, 5 & 6 *Vict.* c. lxxxi.
33. ——— Making Branch Railway from, to *Northampton* and *Peterborough*, 6 & 7 *Vict.* c. lxiv.

34. *London and Blackwall* Railway. Amending Acts relating to, 5 & 6 *Vict. c.* xxxiv.
35. ——— *and Brighton* Railway. Enabling the Company to raise a further Sum of Money, and amending Act, 6 & 7 *Vict. c.* xxvii.
36. ——— *and Greenwich* Railway. Amending Acts relating to, 5 & 6 *Vict. c.* cii.
37. *Maryport and Carlisle* Railway. Amending Act relating to, 6 & 7 *Vict. c.* lxx.
38. *Mersey* River. Better preserving the Navigation of, 5 & 6 *Vict. c.* cx.
39. *Midland Counties* Railway. (Amending Acts), 5 & 6 *Vict. c.* ii.
40. *Monkland* Canal. Making Railway, with other necessary Works, to connect certain Coal Fields in the Parishes of *Old Monkland* and *Bothwell* with the said Canal, 6 & 7 *Vict. c.* lxiii.
41. *Monkland and Kirkintilloch* Railway. Making, &c. Two improved or additional Lines, and amending Acts, 6 & 7 *Vict. c.* lxxix.
42. *Newcastle and Darlington Junction* Railway. Completing the Communication between those Towns, with a Branch to the City of *Durham*, 5 & 6 *Vict. c.* lxxx.
43. *Northern and Eastern* Railway. Enabling the Company to make an Extension of their present Railway, and amending Acts relating thereto, 6 & 7 *Vict. c.* xxviii.
44. *Saundersfoot* Railway. Authorizing the Company to extend their present Railway and make Two Branches, and amending Act, 5 & 6 *Vict. c.* xxxv. [Amended by 5 & 6 *Vict. c.* liii.]
45. *Severn.* Improving the Navigation from the Entrance Lock of the *Gloucester and Berkeley* Canal and from the Entrance Lock of the *Herefordshire* and *Gloucestershire* Canal to *Gladder* or *Whitehouse Brook*, 5 & 6 *Vict. c.* xxiv.
46. *Sheffield, Ashton-under-Lyne, and Manchester* Railway. Amending Act relating to, 5 & 6 *Vict. c.* xviii.
47. ——— Increasing the Capital and enlarging the Powers of the Company, 6 & 7 *Vict. c.* ix.
48. *South-eastern* Railway. Enabling the Company to raise a further Sum of Money, and amending Acts, 5 & 6 *Vict. c.* iii.
49. ——— Enabling the Company to extend their Line to *Dover*, and conferring other Powers on said Company, 6 & 7 *Vict. c.* li.
50. ——— Enabling the Company to make a Branch to *Maidstone*, 6 & 7 *Vict. c.* lii.
51. ——— Enabling the Company, in conjunction with the *London and Croydon* Railway Company, to make a Railway from the *London and Croydon* Railway to *Swan Street* near the *Bricklayers Arms, Old Kent Road*, and to provide a new Station there, 6 & 7 *Vict. c.* lxii.
52. *Staffordshire* and *Worcestershire* Canal Navigation. Enabling the Company to lend certain Sums of Money to the Commissioners for Improvement of the Navigation of the River *Severn*, and to guarantee the Repayment of Loans which other Persons shall make to such Commissioners, and to guarantee the Performance of Contracts into which such Commissioners shall enter, and to borrow Money for such Purposes, 6 & 7 *Vict. c.* v.
53. *Stanhope and Tyne* Railroad. Facilitating Arrangements consequent upon the Dissolution of the Company, and incorporating some of the Proprietors for continuing the working of a Part of the Railway, 5 & 6 *Vict. c.* xxvii.
54. *Stockton and Hartlepool* Railway. Maintaining and better regulating, and incorporating the Proprietors thereof, 5 & 6 *Vict. c.* xc.
55. *Thames* River. Authorizing the Sale and Application of Property vested in Commissioners for making the River navigable from *Bercot* to the City of *Oxford*, 6 & 7 *Vict. c.* vi.
56. ——— Regulation of Lastage and Ballastage, 6 & 7 *Vict. c.* lvii.
57. *Tyne* River. Regulating and maintaining the Fisheries, 5 & 6 *Vict. c.* lxiii.
58. *Warwick and Leamington* Union Railway. Authorizing certain Alterations in the Works, and confirming the Purchase thereof by the *London and Birmingham* Railway Company, and enabling that Company to raise a further Sum of Money, and convert their Shares into Stock, 6 & 7 *Vict. c.* iii.
59. *Welland* River. Transferring to Trustees of, certain Dues payable in respect of Vessels using the River and their Cargoes (repealing Act), 5 & 6 *Vict. c.* lv.
60. *Yarmouth (Great).* Making Railway from, to *Norwich*, 5 & 6 *Vict. c.* lxxxii.

Cathedral Churches in Wales.

1. For regulating the Cathedral Churches of *Wales*, 6 & 7 *Vict. c.* 77.
2. 3 & 4 *Vict. c.* 113. and 4 & 5 *Vict. c.* 39. extended to *Saint Asaph* and *Bangor*, § 1.
3. Four Canons Residentiary at *Saint Asaph*, *Bangor*, *Saint David's*, and *Llandaff*, § 2.
4. Two Canonries Residentiary to be annexed to Two Archdeaconries, § 3.
5. Rights and Powers of Deans and Canons, § 4.
6. 3 & 4 *Vict. c.* 113. *ss.* 38. 40. in part repealed, and Provision made for the Cathedral Parishes, § 5.
7. Incomes of Deans and Canons may be augmented out of the common Fund, § 6.
8. Houses of Residence to be provided at *Saint Asaph*, *Bangor*, and *Llandaff*, § 7.
9. Archdeaconries to be separated from Bishopricks, § 8.
10. Archdeaconry may be separated from the Deanery of *Llandaff*, § 9.
11. Treasurer of Queen *Anne*'s Bounty to pay over Proceeds of suspended Canonries, &c., § 10.
12. Vested Interests protected, § 11.
13. Appointment, &c. of *Welsh* Clergymen to officiate in *London* or *Westminster*, § 12.
14. Better Provision for *Saint David's* College at *Lampeter*, § 13.
15. Powers of former Acts extended to this Act, § 14.
16. Repeal of 5 & 6 *Vict. c.* 112. in part, § 15.

Chancery (Court of).

1. For abolishing certain Offices of the High Court of Chancery in *England*, 5 & 6 *Vict. c.* 103.
2. Offices of Clerks of Enrolment and their Deputies, Comptrollers of the Hanaper, Six Clerks, Sworn Clerks, and Waiting Clerks, (except as to Recovery of bygone Fees, and to certain Rights,) abolished, § 1.
3. Transfer of Enrolments, Records, &c., § 2.
4. Duties, &c. of Six Clerks in relation to Causes in the Petty Bag; Clerk of Enrolments; Clerks of Records and Writs; Taxing Masters; Tenure of Office. Duties to be discharged in Person. Removal. General Provision as to Business of Clerk of Enrolments in Chancery, Clerk of Records and Writs, and Taxing Masters, § 3.
5. First Clerk of Enrolments. First Clerks of Records and Writs. First Taxing Masters. Filling up of Vacancies in

Office of Clerk of Enrolments or Clerk of Records and Writs, and in the Office of Taxing Master, § 4.
6. Appointment of additional Clerks of Records and Writs, and of Taxing Masters. Limitation, § 5.
7. Appointment of Deputy in case of Absence of Clerk of Enrolments, Clerk of Records and Writs, or Taxing Master, § 6.
8. Such Officers and the Clerk of Affidavits may administer Oaths and take Affirmations, § 7.
9. Persons swearing before such Officers to be subject to Penalties for Perjury, § 8.
10. Power to Clerk of Enrolments in Chancery to appoint Clerks, and remove them, and fill up Vacancies. Power to Clerk of Records and Writs to appoint Clerks, and remove them, and fill up Vacancies. Power to Taxing Master to appoint and to remove Clerks, and fill up Vacancies. No Appointment to be made on any Vacancy unless declared necessary, § 9.
11. Officers and Clerks not to take Gratuities, § 10.
12. Persons employed under this Act not to practise as Barristers, Solicitors, &c. Solicitors, &c. accepting Office to be struck off the Rolls, § 11.
13. Persons whose Offices and Employments are abolished or affected may make Claims for Compensation, § 12.
14. Executors of Persons dying before Compensation awarded may make Claim, § 13.
15. Half Compensation for Seven Years after Death of Sworn Clerk to be paid to his Executors, § 14.
16. Compensation to Clerk of Public Office and Junior and Copying Clerks of Masters in Ordinary, &c., § 15.
17. Allowances on account of Compensation, § 16.
18. Account of Compensations, &c. to be laid on Table of House of Commons, § 17.
19. Portion of Compensation to cease during Tenure of Office, § 18.
20. Retiring Allowance may be granted, § 19.
21. Salaries, Compensations, &c. to grow due from Day to Day, but to be payable quarterly out of the Suitors Fund, § 20.
22. Fees to continue and be paid to the Suitors Fund, § 21.
23. Power to impose Fees on Proceedings and Business in Court of Chancery, and Offices thereof, § 22.
24. Provision in case of Surplus or Deficiency of Fee Fund, § 23.
25. Priority of Compensations over all other Charges under this Act. Power to purchase Compensations and Retiring Allowances, § 24.
26. Power to invest surplus Interest of Suitors Fund, § 25.
27. Money placed out, if required to answer Demands of Suitors, to be called in, § 26.
28. Power to change Securities, § 27.
29. Provision as to the Appointment of Messengers and Servants, § 28.
30. The Building, &c. of the Six Clerks Office and Enrolment Office vested in the Accountant General for the Purposes of this Act and of the Enrolment Office. Dividends of "Money arising by Sale of the Six Clerks Office" to become Part of the Suitors Fee Fund, § 29.
31. Provision as to the Expences of the Offices under this Act, § 30.
32. Orders may be made for carrying Act into execution, § 31.
33. Orders under the Act may be varied, § 32.
34. For defraying the Expences of preparing and passing this Act, § 33.
35. Clerk of Enrolment in the Court of Chancery for the County of *Middlesex* continued in the Office of Register of Deeds in *Middlesex*, notwithstanding the Abolition of his Office in the Court of Chancery, § 34.
36. Power to postpone Act for Six Months, § 35.
37. Act not to affect other Powers of Lord Chancellor, § 36.
38. Interpretation of "Lord Chancellor," § 37.

See *Evidence.*

Chelsea Hospital.

1. To amend the Laws relating to the Payment of Out-Pensioners of *Chelsea* Hospital, 5 & 6 *Vict. c.* 70.
2. 55 *G.* 3. *c.* 125. and 136. wholly and 7 *G.* 4. *c.* 16. in part repealed, § 1.
3. Regulations for Payment of Out-Pensioners, § 2.
4. Pensions how to be paid, § 3.
5. Sums needed for Pensions how to be obtained, § 4.
6. Public Officers may advance Money for Pensions, § 5.
7. Accounts of Pensions how to be audited, § 6.
8. Other Pensions to be paid as before the Act, § 7.
9. To enable the Commissioners of *Chelsea* Hospital to purchase certain Parcels of Land for the Benefit of the said Hospital, and for other Purposes, 6 & 7 *Vict. c.* 31.
10. Application of Estate of the late Colonel *John Drouley* to certain Purchases, § 1.
11. Commissioners empowered to sell or exchange the Lands so purchased for other Lands, § 2.
12. Commissioners empowered to grant Leases, § 3.
13. For rendering more effective the Services of such Out-Pensioners of *Chelsea* Hospital as shall be called out to assist in preserving the Public Peace, 6 & 7 *Vict. c.* 95.
14. Her Majesty may order any Out-Pensioners to be enrolled as a local Force. The Number not to exceed 10,000, § 1.
15. Staff Officers to act as Commandants in default of special Provision. Other Officers, § 2.
16. Arms and Accoutrements to be provided, § 3.
17. Pensioners may volunteer for Garrison Duty, § 4.
18. Secretary at War to make Regulations, § 5.
19. Pensioners to be subject to the Mutiny Act and Articles of War, § 6.
20. Penalty for damaging or selling Accoutrements, &c., § 7.
21. Field and Staff Officers exempt from Toll, § 8.

Cheshire, See Fines and Recoveries.

Chile (Republic), See Slave Trade, 129.

China.

1. For the better Government of Her Majesty's Subjects resorting to *China*, 6 & 7 *Vict. c.* 80.
2. Her Majesty may authorize the Chief Superintendent of Trade to make Ordinances for Her Majesty's Subjects in *China*, § 1.
3. Provision for temporary Vacancy in the Office of Superintendent, § 2.
4. Her Majesty may make Ordinances for Her Majesty's Subjects in *China*, § 3.
5. Commissions and Ordinances to be laid before Parliament, § 4.
6. 3 & 4 *W.* 4. *c.* 93. in part repealed, § 5.
7. Limitation of Actions, § 6.

Church Property, See Clergy.

Clergy.

1. For better enabling Incumbents of Ecclesiastical Benefices to demise the Lands belonging to their Benefices on Farming Leases, 5 & 6 *Vict. c.* 27.
2. Incumbents of Benefices empowered, with Consent of Bishop and Patron, to lease Lands belonging to their Benefices for Fourteen Years, under certain Restrictions. Saving for Covenants respecting Cultivation, Improvements, &c. In certain Cases Leases may be granted for Twenty Years, § 1.
3. Parsonage House and Offices and Ten Acres of Glebe situate most conveniently for Occupation not to be leased, &c. Proviso, § 2.
4. Before any Lease is granted a Surveyor to be appointed, who is to make Maps, Certificates, Valuation, and Reports respecting such intended Lease. An existing Map of the Lands may be used, § 3.
5. Lessor's Receipt for Counterpart or attested Copy of Lease to be Evidence of its Execution; and Execution by Bishop and Patron to be Evidence that the Lands are proper to be leased, &c., § 4.
6. Surrenders of Leases, § 5.
7. In Cases of Peculiars belonging to Bishops, such Bishops to exercise, within their Peculiars, the Powers given by this Act, § 6.
8. Provision where Patron or Lord of Manor is under Incapacity or beyond Seas, § 7.
9. Or where Patronage of Benefice is in the Crown, § 8.
10. Or attached to the Duchy of *Cornwall*, § 9.
11. Corporate Bodies may act by their Common Seal, § 10.
12. Person who for the Time being would be entitled to present shall be considered the Patron, § 11.
13. Provision where any Person shall sustain more than One of the Characters of Bishop, Patron, and Incumbent, § 12.
14. The Power of the Act to extend to Lands, &c. held in Trust for Corporations, § 13.
15. Incumbent's Part of all Instruments, and all Maps, &c. shall be deposited in the Bishop's Registry, except as to Peculiars belonging to Bishops. Deposited Documents to be produced to Incumbent or Patron on Application; and Office Copies given, which are to be admitted as Evidence of such Instruments in all Courts. Charges which the Registrar is entitled to make, § 14.
16. Interpretation of Act, § 15.
17. To what Parts the Act shall extend, § 16.

See *Ecclesiastical Corporations; Ecclesiastical Houses; West Indies.*

Clerk of Custodies, See Lunacy, 11.

Clerks and Apprentices to Notaries, See Notaries.

Coals.

1. To discontinue certain Actions under the Provisions of an Act of the Second Year of King *William* the Fourth, for regulating the Vend and Delivery of Coals in the Cities of *London* and *Westminster*, and in certain Parts of the adjacent Counties, 6 & 7 *Vict. c.* 2.
2. Actions and Informations to be discontinued, upon Application to Courts of Law. Proviso as to Penalties incurred by Fraud, § 1.
3. Public Act, § 2.

Coalwhippers.

Establishing an Office for the Benefit of Coalwhippers in the Port of *London*, and staying certain Actions in respect of Fitters Certificates, 6 & 7 *Vict. c.* ci.

Collieries, See Mines and Collieries.

Colonial Regulations, See Evidence.

Colonies, See Evidence.

Commissions for Examination of Witnesses, See Affidavits.

Commissions of Lunacy, See Lunacy.

Commutation of Tithes, See Tithes.

Compromises, See Indemnity, 2.

Constables, See Parish Constables.

Contracts, See Agents.

Controverted Elections.

To continue until the Thirty-first Day of *July* One thousand eight hundred and forty-three, and to the End of the then Session of Parliament, an Act for amending the Law for the Trial of controverted Elections, 5 & 6 *Vict. c.* 73. [Further continued to 1st *August* 1844 by 6 & 7 *Vict. c.* 47.]

Convention.

1. To continue until the First Day of *August* One thousand eight hundred and forty-three an Act for carrying into effect a Convention between Her Majesty and the King of the *French* relative to the Fisheries on the Coasts of the *British* Islands and of *France*, 5 & 6 *Vict. c.* 63.
2. To carry into effect a Convention between Her Majesty and the King of the *French* concerning the Fisheries in the Seas between the *British* Islands and *France*, 6 & 7 *Vict. c.* 89.
3. Confirmation of Articles, § 1.
4. Amendment of 13 & 14 *Car.* 2. *c.* 28.—§ 2.
5. For enforcing Convention and Articles, § 3.
6. Board of Trade empowered to make Bye Laws for Protection of Fisheries, § 4.
7. Publication of Bye Laws, § 5.
8. Articles may be suspended in *Ireland* while there is no Mixed Fishery there, § 6.
9. Rules and Bye Laws to be laid before Parliament, § 7.
10. Repeal of Part of 5 & 6 *Vict. c.* 106.—§ 8.
11. Officers and Men of Her Majesty's Cruisers, and Officers and Men of Revenue and Coast-guard Service, empowered to enforce the Provisions of this Act, § 9.
12. Penalty for obstructing Persons on Duty, § 10.
13. Who shall have Cognizance of Offences by *British* Subjects, § 11.
14. Who shall have Cognizance of Offences by *French* Subjects within the *British* Fishery Limits, § 12.

15. Pro-

15. Proceedings in case of Offences by *French* Subjects beyond the *British* Fishery Limits, § 13.
16. Compensation for Damage, § 14.
17. Salvage for Boats, &c. picked up at Sea, § 15.
18. Conviction not to be quashed for Want of Form, § 16.
19. Appeal, § 17.
20. Meaning of "*British* Vessel," &c., § 18.
21. Schedule, Articles, &c.

See *Apprehension of Offenders*, 12, 19; *Slave Trade*.

Convicts, See Offenders in Foreign Countries; Transported Convicts.

Copyholds, See Manorial Rights.

Copyright.

1. To amend the Law of Copyright, 5 & 6 *Vict. c.* 45.
2. Recited Acts repealed, § 1.
3. Interpretation of Act, § 2.
4. Endurance of Term of Copyright in any Book hereafter to be published in the Lifetime of the Author. If published after the Author's Death, § 3.
5. In subsisting Copyrights Term to be extended, except it belong to an Assignee for other Consideration than natural Love and Affection; when it shall cease at the End of present Term, unless Extension agreed to between the Proprietor and the Author, § 4.
6. Privy Council may license Republication of Books which Proprietor refuses to re-publish after Death of Author, § 5.
7. Copies of Books published after passing the Act, and of all subsequent Editions, to be delivered within certain Times at the *British Museum*, § 6.
8. Mode of delivering at *British Museum*, § 7.
9. A Copy of every Book to be delivered within a Month after Demand to the Officer of the Stationers Company, for the following Libraries: the *Bodleian* at *Oxford*, the Public Library at *Cambridge*, the Faculty of Advocates at *Edinburgh*, and that of *Trinity* College, *Dublin*, § 8.
10. Publishers may deliver the Copies to the Libraries, instead of at the Stationers Company, § 9.
11. Penalty for Default in delivering Copies for the Use of the Libraries, § 10.
12. Book of Registry to be kept at Stationers Hall, § 11.
13. Making false Entry in Book of Registry a Misdemeanor, § 12.
14. Entries of Copyright may be made in Book of Registry, § 13.
15. Persons aggrieved by any Entry in the Book of Registry may apply to a Court of Law in Term, or Judge in Vacation, who may order such Entry to be varied or expunged, § 14.
16. Remedy for the Piracy of Books by Action on the Case, § 15.
17. In Actions for Piracy the Defendant to give Notice of the Objections to the Plaintiff's Title on which he means to rely, § 16.
18. No Person, except the Proprietor, &c., shall import into the *British* Dominions for Sale or Hire any Book first composed, &c. within the United Kingdom, and reprinted elsewhere, under Penalty of Forfeiture thereof, and also of 10*l.* and Double Value. Books may be seized by the Officers of Customs or Excise, § 17.
19. As to the Copyright in Encyclopædias, Periodicals, and Works published in a Series, Reviews, or Magazines. Proviso for Authors who have reserved the Right of publishing their Articles in a separate Form, § 18.
20. Proprietors of Encyclopædias, Periodicals, &c. may enter at once at Stationers Hall, and have the Benefit of Registration of the whole, § 19.
21. Provisions of 3 & 4 *W.* 4. *c.* 15. extended to Musical Compositions, and the Term of Copyright, as provided by this Act, applied to the Liberty of representing Dramatic Pieces and Musical Compositions, § 20.
22. Proprietors of Right of Dramatic Representations shall have all the Remedies given by 3 & 4 *W.* 4. *c.* 15.—§ 21.
23. Assignment of Copyright of a Dramatic Piece not to convey the Right of Representation, § 22.
24. Books pirated shall become the Property of the Proprietor of the Copyright, and may be recovered by Action. § 23.
25. No Proprietor of Copyright commencing after this Act shall sue or proceed for any Infringement before making Entry in the Book of Registry. Proviso for Dramatic Pieces, § 24.
26. Copyright shall be personal Property, § 25.
27. General Issue. Limitation of Actions. Not to extend to Actions, &c. in respect of the Delivery of Books, § 26.
28. Saving the Rights of the Universities, &c., § 27.
29. And of all subsisting Rights, Contracts, and Engagements, § 28.
30. Extent of Act, § 39.
31. To consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture, 5 & 6 *Vict. c.* 100.
32. Commencement of Act, and Repeal of former Acts, § 1.
33. Proviso as to existing Copyrights, § 2.
34. Grant of Copyright, § 3.
35. Conditions of Copyright. Registration. Marks denoting a registered Design, § 4.
36. The Term "Proprietor" explained, § 5.
37. Transfer of Copyright, and Register thereof, § 6.
38. Piracy of Designs, § 7.
39. Recovery of Penalties for Piracy, § 8.
40. Proviso as to Action for Damages, § 9.
41. Registration may in some Cases be cancelled or amended, § 10.
42. Penalty for wrongfully using Marks denoting a registered Design, § 11.
43. Limitation of Actions, § 12.
44. Justices may order Payment of Costs in Cases of summary Proceeding, § 13.
45. Registrar, &c. of Designs to be appointed, § 14.
46. Registrar's Duties, § 15.
47. Certificate of Registration of Design, § 16.
48. Inspection of registered Designs, § 17.
49. Application of Fees of Registration, § 18.
50. Penalty for Extortion, § 19.
51. Interpretation of Act, § 20.
52. Schedules.
53. To amend the Laws relating to the Copyright of Designs, 6 & 7 *Vict. c.* 65.
54. Commencement of Act, § 1.
55. Grant of Copyright. Proviso, § 2.
56. Conditions of Copyright, § 3.
57. Penalty for wrongfully using Marks denoting a registered Design, § 4.
58. Floor or Oil Cloths included in Class Six, § 5.
59. Certain Provisions of 5 & 6 *Vict. c.* 100. to apply to this Act, § 6.
60. Appointment of Registrars, &c., § 7.
61. Registrar's Duties. Drawings, § 8.

62. Dis-

62. Discretionary Power as to Registry vested in the Registrar. Proviso, § 9.
63. Inspection of Index of Titles of Designs, &c., § 10.
64. Interpretation of Act, § 11.

Corn, See Importation and Exportation; Wheat.

Cornwall (*Duchy of*), See Queen and Royal Family.

Coroners.

1. To amend the Law respecting the Duties of Coroners, 6 & 7 *Vict. c.* 83.
2. Coroners of Counties, &c. may appoint Deputies, subject to the Approval of the Lord Chancellor. Duplicate of Appointment to be transmitted to Clerk of the Peace. Deputy to act only during Illness, &c., § 1.
3. Inquisitions, &c. not to be quashed on account of technical Defects, § 2.
4. Extent of Act, § 3.

Coroners Inquests.

1. For the more convenient holding of Coroners Inquests, 6 & 7 *Vict. c.* 12.
2. Coroner only within whose Jurisdiction the Body is lying dead shall hold the Inquest, § 1.
3. Provision for detached Parts of Counties, § 2.
4. Parties may be tried on Verdicts of Murder or Manslaughter, § 3.
5. Deodands may be levied on Verdicts, § 4.

Corporations (*Ecclesiastical*), See Ecclesiastical Corporations.

Corporations (*Municipal*), See Municipal Corporations; Boroughs.

Costs.

1. To amend the Law relating to Double Costs, Notices of Actions, Limitations of Actions, and Pleas of the General Issue, under certain Acts of Parliament, 5 & 6 *Vict. c.* 97.
2. Repeal of Provision in Local and Personal Acts giving Double and Treble Costs, § 1.
3. Repealing Provision in Public Acts giving Double and Treble Costs, § 2.
4. Repeal of Provision in Local and Personal Acts allowing General Issue, § 3.
5. Uniformity of Notice of Action, § 4.
6. General Limitation of Actions under Local and Personal Acts, § 5.
7. Act not to extend to Actions, &c. brought before passing of this Act, § 6.

County Rates, See Rates.

Court of Chancery, See Chancery (Court of).

Courts, See District Courts.

Coventry.

To annex the County of the City of *Coventry* to *Warwickshire*, and to define the Boundary of the City of *Coventry*, 5 & 6 *Vict. c.* 110.

Creditors, See Warrants of Attorney.

Crimes and Misdemeanors.

1. For removing Doubts as to the Punishment which may be awarded under the Provisions of an Act of the Fourth and Fifth Years of Her present Majesty, "for taking away the Punishment of Death in certain Cases," for certain Offences therein specified, 6 & 7 *Vict. c.* 10.
2. Punishment for Offences herein-before specified, § 1.

Crown Office, See Queen's Bench (Court of).

Customs.

1. To amend the Laws relating to the Customs, 5 & 6 *Vict. c.* 47.
2. Commencement of Act, § 1.
3. *Management.* 3 & 4 *W.* 4. *c.* 51. to be registered in the Royal Court of *Jersey*, although *Jersey* is not specially named in that Act, § 2.
4. *Regulation.* Certain Prohibitions repealed, § 3.
5. Fish of Foreign Taking, Train Oil, &c. prohibited to be imported, unless in Vessels clearing regularly from a Foreign Port, § 4.
6. So much of 3 & 4 *W.* 4. *c.* 52. as permits Turbots to be landed without Entry, repealed, § 5.
7. Tobacco, the Produce of *Mexico*, &c., may be imported from the *British* Possessions in Packages of 80 lbs., and Negrohead Tobacco from the United States in Packages of 150 lbs., § 6.
8. So much of 3 & 4 *W.* 4. *c.* 52. as requires the Weight of Tobacco to be marked upon Casks, &c. repealed, § 7.
9. Tobacco may be re-imported into the United Kingdom by Bill of Store, § 8.
10. So much of 3 & 4 *W.* 4. *c.* 52. as requires a separate Manifest for Tobacco repealed, § 9.
11. No Drawback on Tobacco not properly manufactured, and Penalty on Persons fraudulently attempting to obtain Drawback, § 10.
12. Foreign Goods bearing the Names or Marks of Manufacturers in the United Kingdom on Importation after 5th *January* 1843 to be forfeited, § 11.
13. Spirits may be imported in Stone Bottles not exceeding the Size of Quart Bottles, § 12.
14. Silk Manufactures of *Europe* may be imported into *Southampton*, § 13.
15. No Allowance for Damage to Sugar, § 14.
16. Goods undervalued, Officers may detain, § 15.
17. Provisions of 122d Section of 3 & 4 *W.* 4. *c.* 52. not to extend to Warehousing Bonds, § 16.
18. Certain Goods derelict, &c. No Abatement of Duties thereon to be made on account of Damage, § 17.
19. Goods not entitled to Drawback if of less Value than claimed, § 18.

20. On

20. On Entry outwards of Goods entitled to Drawback Bond for due shipping and landing shall be given, § 19.
21. Bonds entered into, with the Concurrence of the Lords of the Treasury or the Commissioners of the Customs, for the due Performance of any thing relating to the Customs, to be valid in Law, § 20.
22. Unlicensed Persons transacting certain Business relating to the Customs in the Port of *London* to forfeit 100*l.*, § 21.
23. Wine for the Use of the Officers of the Navy may be shipped at the Port of *Liverpool*, § 22.
24. 3 & 4 *W.* 4. *c.* 52. § 58. as to Books printed in the United Kingdom, and reprinted abroad, repealed, § 23.
25. Books wherein the Copyright subsists prohibited to be imported, § 24.
26. No Book prohibited unless Notice is given that Copyright is subsisting. Printed Lists of Works to be publicly exposed, § 25.
27. Ships not liable to Tonnage Rate under 4 & 5 *W.* 4. *c.* 32. where their Cargoes are reported for Exportation, and they leave the Port of *London* without breaking Bulk, § 26.
28. Goods the Produce of *British* Possessions abroad to be certified as such upon Clearance, § 27.
29. Power to Lords of Treasury to require Certificates of Production. Goods imported without Certificates of Production (if required) or Certificates of Clearance to be deemed Foreign, &c., § 28.
30. Timber to be piled, at the Expence of the Importer, so as to enable the Officer of the Customs to measure it, § 29.
31. Foreign Fish to be landed under Directions of the Commissioners of Customs, § 30.
32. *Smuggling.* Declaring the Powers of 3 & 4 *W.* 4. *c.* 53. to extend to Persons found on board Her Majesty's Ships and Vessels, § 31.
33. 3 & 4 *W.* 4. *c.* 53. § 16. repealed as to granting Licences for Vessels of less Burthen than 200 Tons, of which the Length is to the Breadth in a greater Proportion than Three Feet Six Inches to One Foot, in Cases where such Vessels have been measured under 5 & 6 *W.* 4. *c.* 56.— § 32.
34. Licence required for Vessels measured under 5 & 6 *W.* 4. *c.* 56. when of less Burthen than 170 Tons, &c., § 33.
35. Writ of Habeas Corpus not to issue without Notice to the Solicitor for the Customs, § 34.
36. Warrant of Commitment not to be void by reason of Defect, &c., § 35.
37. Vessels from which Goods are thrown overboard to prevent Seizure to be forfeited, § 36.
38. Officers of the Army, &c. may patrol the Coasts of the United Kingdom without being liable to Action, § 37.
39. 1 & 2 *Vict.* *c.* 113., as to Tolls on Coast-guard, &c., repealed, § 38.
40. *Registry.* 5 & 6 *W.* 4. *c.* 56. declared to extend to *British* Possessions abroad, § 39.
41. *Duties.* New Duties, § 40.
42. Duties to be paid on and until the Day from which they are to be raised and levied, § 41.
43. An additional Duty of Four-pence *per* Gallon to be levied upon Spirits, and of Five *per Cent.* upon all other Articles, § 42.
44. Duties how to be recovered, § 43.
45. Goods in Warehouse to be liable to the new Duties, § 44.
46. Manufactures of the Channel Islands to be deemed of Foreign Manufacture, § 45.
47. 4 & 5 *W.* 4. *c.* 89. as to Repayment of Duty on Barilla used in bleaching Linen, repealed, § 46.
48. Re-establishing Drawback on cleaned Rice, § 47.
49. Lords of Treasury to have Power of reducing local Duties and Charges upon Foreign Goods and Vessels in Cases of Treaties of Reciprocity, § 48.
50. *Warehouse.* 3 & 4 *W.* 4. *c.* 57. Condition of Bond upon the Exportation of salted Beef or Pork not to require it to be landed nor to restrain the Consumption. No Declaration required, nor Penalty for not having sufficient Stock on Victualling Bill, § 49.
51. Goods lost or destroyed in Warehouse by Accident, Duties thereon remitted, § 50.
52. Goods may be delivered out of Warehouse to be cleaned, &c. under such Regulations as the Commissioners of Customs may direct, § 51.
53. Persons illegally removing Goods after having been entered to be warehoused to forfeit Treble the Value or 100*l.*, and Goods forfeited, § 52.
54. Allowances for natural Waste on Corn or Grain in Warehouse, § 53.
55. *Bounties.* Committee of Sugar Refiners to provide Sample Loaves of Patent Sugar, § 54.
56. Sugar entered not equal to the standard Sample to be forfeited, § 55.
57. Drawbacks on Exportation of Silk Goods, and on Deals and Timber used in Mines, repealed, § 56.
58. *Possessions abroad.* Extending the Provisions of 3 & 4 *W.* 4. *c.* 59. with respect to the Clearance of Goods the Produce of *British* Possessions abroad after 1st *January* 1843. Exception, § 57.
59. If no Officer of Customs resident at Port of Shipment, the Certificate of Clearance to be granted by the principal Civil Officer, § 58.
60. *Bounties.* Foreign Gold and Silver Plate imported, not being battered, not to be sold, unless of the proper Standard, and duly assayed, § 59.
61. Power of sending to be assayed and of assaying at the Assay Offices Gold and Silver Plate imported, § 60.
62. So much of 9 *G.* 4. *c.* 93. as provides for taking the Prices of Sugar the Produce of *British* Possessions in *America*, &c. to apply to Sugar the Produce of *British* Possessions within the Limits of the *East India* Company's Charter, § 61.
63. Table of Duties, § 62.
64. For further amending the Laws relating to the Customs, 5 & 6 *Vict.* *c.* 56.
65. The Duty of 7½*d. per* Cubic Foot and Ten *per Cent. ad valorem* Duties upon Wood planed, &c., to commence from 10th *October* 1843. The Duty of 9*d. per* Cubic Foot, &c. to be payable from 10th *October* 1842 to 10th *October* 1843 inclusive, § 1.
66. Removal of Doubts as to the Proportions between Copper and Ore indicated by the Table, § 2.
67. Manufactures of *Guernsey*, &c. from Materials not of Foreign Origin not to be deemed Foreign Productions, § 3.
68. Pearls not to be exempted from Duties as in Class 19, § 4.
69. Animal or Vegetable Specimens illustrative of Natural History to be included in Exemptions from Duty, § 5.
70. Ornamental Plate made prior to the Year 1800 may be sold without being assayed. In case of Action the Proof that the Plate was made before 1800, or was imported before passing of the Act 5 & 6 *Vict.* *c.* 47., to lie on Defendant, § 6.
71. Duty on Cement Stone repealed, § 7.
72. Beef and Pork from Warehouse, Repeal of Conditions of Bond

Bond and Declaration of Master deferred till 10th *Oct.* 1842, § 8.
73. Copper Ore not to be delivered from the Warehouse to be smelted after the passing of this Act. Proviso as to Copper Ore imported before *March* 1843, § 9.
74. So much of 3 & 4 *W.* 4. *c.* 59. as restricts the Intercourse between the Islands of *Jamaica* and *St. Domingo* repealed, § 10.
75. To amend the Laws relating to the Customs, 6 & 7 *Vict. c.* 84.
76. Commencement of Act, § 1.
77. *Management.* Commissioners may examine Witnesses, § 2.
78. *Regulation.* Goods entered to be landed or examined by Bill of Sight; a Deposit to be made equal to the Duties, § 3.
79. As to Goods in Packages, § 4.
80. Importer or Agent to endorse the Bill of Sight with Particulars of the Goods, and sign the same, § 5.
81. General Denominations of certain Goods to be reported, and to be inserted in the Ship's Manifest, § 6.
82. Goods unshipped from importing Vessel, or landed, contrary to Rules, &c. of Commissioners of Customs, forfeited, and Parties offending to pay 100*l.* or Treble Value, § 7.
83. Penal Sum in Bonds for Coals and Drawback or Bounty. Goods not to exceed Double the Amount of Duty, Drawback, or Bounty, § 8.
84. So much of 5 & 6 *Vict. c.* 47. as requires Bond on Exportation of Wine, repealed, § 9.
85. Colonial Fishing Vessels may import the Blubber, Oil, &c. into the United Kingdom direct from the Fisheries, § 10.
86. *Smuggling.* Persons in Her Majesty's Naval Service liable to Detention under Revenue Laws to be placed in Security on board Ships of War until a Justice's Warrant produced, § 11.
87. Foreigners discovered on board any Vessel containing smuggled Goods to be punished, § 12.
88. Duty on Garancine altered, § 13.
89. All Manufactures of *Gibraltar*, *Malta*, and *Heligoland* to be deemed the Produce of a Foreign Country, § 14.
90. *Foreign Treaties.* Her Majesty may by Order in Council give effect to Stipulations in Treaties with respect to Export Duties, § 15.
91. *Warehouse.* Bonds for warehoused Goods to have only One Surety, § 16.
92. Occupiers of Warehouse to produce, on Demand, Goods to Officer of Customs, or forfeit 5*l.* § 17.
93. *Possessions abroad.* Foreign Beef and Pork may be shipped as Stores from the Warehouse without Entry or Payment of Duty, if borne upon Ship's Clearance, § 18.
94. *Shipping and Navigation.* Her Majesty may by Order in Council declare that any Goods may be imported into *Hong Kong* in any Vessels, § 19.
95. Her Majesty may by Order in Council appoint Ports in the *British* Possessions abroad wherein any Goods imported in any Vessels may be warehoused. § 20.
96. *Flour.* Flour substituted in Warehouse under 5 & 6 *Vict. c.* 92. not to be taken out for Home Consumption for Four Weeks afterwards, § 21.
97. *Admeasurement of Shipping.* 5 & 6 *W.* 4. *c.* 56. § 2. repealed. Rule for measuring Vessels while their Cargoes are on board, § 22.
98. *Possessions abroad.* Produce of the Forest and agricultural Produce of those Parts of the State of *Maine* watered by the River *Saint John* and its Tributaries, to be treated, as respects Duties, Navigation and Customs Laws, as the Produce of *New Brunswick*, § 23.
99. *Regulation.* So much of 3 & 4 *W.* 4. *c.* 52. as prohibits Exports of the Machinery in Schedule, repealed, § 24.
100. Schedule.

See *Importation and Exportation; Wheat.*

D.

Dean (Forest of), See Forest of Dean.

Defamation, See Libel.

Deposits, See Agents.

Designs, See Copyright, 31, 53.

Dioceses.

1. For suspending, until the First Day of *October* One thousand eight hundred and forty-four, the Operation of the new Arrangement of Dioceses, so far as it affects the existing Ecclesiastical Jurisdictions, 6 & 7 *Vict. c.* 60.
2. Temporary Provisions relating to Ecclesiastical Courts and Provision relating to Visitations continued, § 1.

See *Ecclesiastical Commissioners.*

District Courts and Prisons.

1. To encourage the Establishment of District Courts and Prisons, 5 & 6 *Vict. c.* 53.
2. Justices of any County and of any Borough within the Provisions of 5 & 6 *W.* 4. *c.* 76. may agree with other Justices for building or enlarging Prisons, to be used as District Prisons. Justices may commit alleged Offenders to such Prisons, § 1.
3. Repeal of Enactment authorizing Agreements at quarterly Meetings of Council, § 2.
4. Monies to be raised as other Monies for like Purposes, § 3.
5. Justices in Quarter Sessions may appoint a Committee of Justices to make such Agreements, § 4.
6. Councils of Boroughs may appoint a Committee of Justices to make such Agreements, § 5.
7. Committees to unite to form One Committee, § 6.
8. Certain Particulars to be stated in the Agreement, § 7.
9. Further Particulars, of current Expenditure, to be stated, § 8.
10. Agreements to be approved by the Justices and Councils separately, and confirmed by Her Majesty. If not approved, to be referred back to Joint Committee, § 9.
11. Agreements to be laid before Secretary of State; to set forth the Salary to be paid to Recorders for any additional Duties thereby imposed. Agreement may be confirmed by Order in Council; and thenceforth Prison to be used as a Common Gaol, § 10.
12. Joint Committee to re-assemble for carrying the Purposes of the Agreement into execution. Proviso, § 11.
13. Powers of Joint Committee with respect to purchasing Lands, &c., § 12.
14. Committee to make Contracts. Plans and Estimates to be submitted for Approval, § 13.
15. Accounts to be audited, § 14.
16. Appointment of Officers, § 15.

17. Certificate of Completion of Prison to be sent to the Secretary of State, who may direct the Prison to be thenceforth used as a Prison under this Act, § 16.
18. Committee to hold a Gaol Session, § 17.
19. Prison for the Purposes of Jurisdiction deemed within both County and Borough, § 18.
20. Clerk to summon the First Gaol Session, § 19.
21. Gaol Sessions to be holden when summoned by Two of the Committee, § 20.
22. Justices to appoint the Place for holding Gaol Sessions, § 21.
23. Visiting Justices to be appointed, § 22.
24. Treasurer to be appointed, § 23.
25. Accounts to be examined by the Committee and signed by the Chairman; Balance Sheet to be made out; Copy thereof to be laid before the Quarter Sessions and Council, § 24.
26. Orders for Money, § 25.
27. Justices and Council may appoint Committees to inspect Prisons, § 26.
28. Reports to the Gaol Sessions, § 27.
29. Proceedings to be notified to Secretary of State, § 28.
30. Reports and Returns to be made as in other Prisons, § 29.
31. Penalties for Offences respecting the Prison, § 30.
32. Revision of Agreement, § 31.
33. Disputes to be settled by Arbitration, § 32.
34. Committee may recommend Alterations, § 33.
35. Committee to be re-elected every Year, § 34.
36. Sale of old Prisons, § 35.
37. One Court to be holden for the united District, § 36.
38. Who to be Jurors, § 37.
39. List of Jurors to serve at the Borough Sessions, § 38.
40. Jurors Book, § 39.
41. Jurors attending Borough Sessions to be exempted as at County Sessions, § 40.
42. District may be divided among Boroughs for Trial of Prisoners, § 41.
43. Providing for Expences of District Courts, § 42.
44. Recorder of united District, &c. restrained from trying certain Offences, § 43.
45. Act not to affect Corporations of *Birmingham*, *Manchester*, and *Bolton*, § 44.
46. Interpretation of Act, § 45.
47. Commencement of Act, § 46.

District Prisons, See District Courts.

Dockyards.

1. To enable Her Majesty to acquire Lands for the Enlargement of Her Majesty's Dockyards and for other Naval Purposes, 6 & 7 *Vict. c.* 58.
2. Appointment of Commissioners. Quorum, § 1.
3. Commissioners may purchase Lands, which, when purchased, are to be vested in the Commissioners in Trust for Her Majesty, § 2.
4. Commissioners may enter upon Lands for the Purpose of surveying and valuing them, § 3.
5. Powers to Persons having qualified Interests to sell, § 4.
6. Commissioners may exchange Lands with other Public Departments, § 5.
7. Compensation may be received for Lands, &c., and in case of Dispute shall be settled by a Jury, § 6.
8. Before the Expiration of Three Months after Notice by the Commissioners of their Intention to purchase, all Parties interested to send in a Statement of their Claim, § 7.
9. In Cases of Refusal to treat or Parties not agreeing on Compensation, &c. the Commissioners may authorize the Sheriff to summon a Jury to determine the Value, § 8.
10. If not a sufficient Attendance of Jury the Sheriff may adjourn, § 9.
11. No Party to be heard without having sent in a Statement of his Claim, § 10.
12. Jury may apportion the Value of the different Interests, § 11.
13. In Cases of Parties not appearing the Sheriff may proceed, § 12.
14. Penalty for Default of Sheriff, Witness, &c., § 13.
15. Penalty on Witnesses giving false Evidence, § 14.
16. Inquisitions to be deposited with the Clerk of the Peace, § 15.
17. Parties dissatisfied may appeal, § 16.
18. Commissioners may dispose of Lands required by them but not wanted. Original Proprietors entitled to Pre-emption if desired within Sixty Days, § 17.
19. Allowances to Sheriff, Jury, and Witnesses, § 18.
20. If Verdict of a Jury give a greater Recompence than was offered by the Commissioners, the Expences to be borne by the Crown; if for no more, or for less, then by the Party refusing to accept the Offer, § 19.
21. Commissioners may require Proof in support of Claims of Lessees, § 20.
22. Differences respecting Amount of Damage done in execution of the Act not exceeding 50*l.* to be determined by Two Justices, § 21.
23. Purchase Money to be paid by Commissioners to the Party or into the Bank of *England* on a clear Title being shown, § 22.
24. Purchase Money payable to Persons incapacitated, &c. if exceeding 20*l.*, § 23.
25. Sums not exceeding 20*l.* to be paid to the Parties entitled to the Rents, § 24.
26. If Party refuse to accept the Sum agreed or assessed, or fail to make a good Title, the Money to be paid into the Bank, § 25.
27. On Tender or Payment of Purchase Money into the Bank Commissioners may enter on the Lands which shall be vested in them in Trust for Her Majesty, § 26.
28. In case of Question as to the Title, the Monies to be paid into the Bank, § 27.
29. Court of Chancery may make Order as to the Costs in Cases of Payment into the Bank, § 28.
30. Lands for Purchase of which Money is paid to the Bank released from all Rents and Incumbrances, § 29.
31. In Cases of Lands purchased subject with other Lands to any Rent, &c., Commissioners may agree for Release of Charges, § 30.
32. In case of Parts of Lands subject to Lease, or of Copyholds, being taken, Rent to be apportioned, § 31.
33. Mortgagees to convey upon Payment or Tender of Principal and Interest, § 32.
34. Where Lands in Mortgage are of less Value than the Money secured thereon, or where only Part of Lands in Mortgage are required, § 33.
35. Form of Conveyance. Conveyance to Commissioners to merge all Terms of Years, § 34.
36. Copyhold Lands to be conveyed and remain as Freehold. Compensation to Lords of Manors, § 35.
37. As to Common or Waste Lands taken under the Act, § 36.
38. Commissioners may stop up or divert Roads, § 37.
39. Roads

39. Roads substituted in lieu of those stopped up or diverted to be kept in repair by the Commissioners for Twelve Months, § 38.
40. Tenants by the Year or at Will to quit on Notice. Compensation to be made to such Tenants, § 39.
41. Amount of Claims may be referred to Arbitration, § 40.
42. Limitation of Actions, &c., § 41.
43. In case of Verdict against Defendant for any thing done under this Act the Judge may certify, § 42.
44. Conveyances and Contracts exempt from Stamps, § 43.
45. In case of the Appointment of a Lord High Admiral, Lands purchased to be vested in him, § 44.
46. Interpretation of Act, § 45.

See *Harbours, &c.*

Dominica, See Antigua.

Double and Treble Costs, See Costs.

Dramatic Literary Property, See Copyright.

Duchy of Cornwall, See Queen and Royal Family.

Duties of Customs, See Customs, 41-49.

E.

East India Company, See Slaves.

Ecclesiastical Commissioners.

1. For further suspending, until the First Day of *October* One thousand eight hundred and forty-three, the Operation of the new Arrangement of Dioceses, so far as it affects the existing Ecclesiastical Jurisdictions, *5 & 6 Vict. c.* 58.
2. Existing Ecclesiastical Courts not to be affected by Diocesan Changes for another Year, § 1.

Ecclesiastical Corporations.

1. For enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years, *5 & 6 Vict. c.* 108.
2. Ecclesiastical Corporations, aggregate or sole, (with certain Exceptions,) empowered to grant Building Leases, under certain Restrictions, § 1.
3. Power to reserve increased Rent, § 2.
4. Land may be appropriated for Streets, Yards, &c., § 3.
5. Ecclesiastical Corporations may lease running Water, and Waterleaves and Wayleaves, § 4.
6. Power to confirm Leases voidable for Informality, and to accept Surrenders and grant new Leases or apportioned Leases, § 5.
7. Mining Leases may be granted, § 6.
8. Execution of a Lease by the necessary consenting Parties to be Evidence that the Requisites of this Act have been complied with, § 7.
9. Act not to restrain existing Powers of leasing, except that after a Lease under this Act the Land shall not be leased except at Rack Rent, § 8.
10. House of Residence, Garden, &c. not to be leased, § 9.
11. Improved Value of Episcopal Estates to be paid to Commissioners, § 10.
12. Improved Value of Chapter Property above a certain Amount to be paid to Commissioners, § 11.
13. Improved Value of Archdeaconries above a certain Amount to be paid to Commissioners, § 12.
14. Improved Value of Benefices above a certain Amount to be paid to Commissioners, § 13.
15. Portion of improved Value under Mining Leases to be paid to Commissioners, § 14.
16. Powers of 3 & 4 *Vict. c.* 113. extended to this Act, § 15.
17. Leases under the Act may be made on the Surrender of the existing Leases, § 16.
18. Not necessary to surrender Under-leases before the Grant of a Lease under this Act, § 17.
19. Surveyor to make Maps, Valuation, &c. when a new Lease is intended, § 18.
20. As to Dilapidations, § 19.
21. Consents requisite to the Validity of Leases granted under this Act, § 20.
22. Consenting Parties to be Parties to the Deeds, § 21.
23. How Consent of Patron to be testified where Patronage in the Crown, § 22.
24. How where Patronage is attached to the Duchy of *Cornwall*, § 23.
25. How where Patron or Lord of Manor is an incapacitated Person, § 24.
26. Persons entitled to present on Vacancy shall be considered the Patron, § 25.
27. Same Party may consent in more than One Character, § 26.
28. Corporations aggregate to act by their Common Seal, § 27.
29. Act to extend to Lands held in Trust for Corporations, § 28.
30. Counterparts of Leases and certain other Instruments to be deposited, and to be open to Inspection; and Office Copies to be Evidence, § 29.
31. Lease to be void if any Fine or Premium paid, § 30.
32. Interpretation of Act. "Person." "Lands." "Houses." "Benefice." Number. Gender, § 31.
33. Act to extend only to *England* and *Wales, Isle of Man*, &c., § 32.

Ecclesiastical Houses.

1. To alter and amend the Law relating to Ecclesiastical Houses of Residence, *5 & 6 Vict. Sess.* 2. *c.* 26.
2. Episcopal House may in certain Cases be taken down and sold, or may be rebuilt or altered. Provisions of 6 & 7 *W.* 4. *c.* 77. *s.* 1. made applicable thereto, § 1.
3. Commissioners to state their Reasons for the Alteration, § 2.
4. Repeal of 2 & 3 *Vict. c.* 18. except as to subsisting Mortgages, § 3.
5. Deficiency in Bishop's Income may be supplied, § 4.
6. Chapters, Deans, and Canons may purchase, and alter, take down, or rebuild. Provisions of 3 & 4 *Vict. c.* 113. *s.* 59. made applicable thereto, § 5.
7. Episcopal House may be made the Deanery or a Canonical House, § 6.
8. Provisions of 4 & 5 *Vict. c.* 39. *s.* 18. respecting Disposal of Canonical Houses, to apply to all such Houses, § 7.
9. Defining other Provisions of 3 & 4 *Vict. c.* 113. *s.* 68. and extending them to this Act, § 8.

10. Certain Fixtures and Articles of Furniture in any House sold or taken down may be sold or removed to any other House, § 9.
11. Certain Articles to be deemed Freehold Fixtures, § 10.
12. Residence Houses to be insured, § 11.
13. Corporations and Persons under legal Disability empowered to sell. Application of Purchase Money where it exceeds 200*l.*; where less than 200*l.*, but exceeding 20*l.*; when not exceeding 20*l.* Certificate of Cashier and Receipts of Guardians, &c. to be good Discharges, § 12.
14. Restriction as to mortgaging certain augmented Benefices, § 13.
15. Powers of 3 & 4 *Vict. c.* 113. extended to this Act, § 14.

Ecclesiastical Jurisdiction, See Dioceses; Ecclesiastical Commissioners.

Elections, See Bribery; Controverted Elections; Registration.

Election Petitions, See Indemnity, 2.

Eton College, See Queen and Royal Family, 12.

Evidence.

1. To authorize the Legislatures of certain of Her Majesty's Colonies to pass Laws for the Admission, in certain Cases, of unsworn Testimony in Civil and Criminal Proceedings, 6 & 7 *Vict. c.* 22.
2. Laws or Ordinances made by the Legislatures of *British* Colonies for Admission of the Evidence of certain Persons residing therein shall have the same Effect as other Colonial Laws, § 1.
3. For improving the Law of Evidence, 6 & 7 *Vict. c.* 85.
4. Witnesses not to be excluded from giving Evidence by Incapacity from Crime or Interest. Proviso. Not to repeal any Provision in 7 *W.* 4. & 1 *Vict. c.* 26. In Courts of Equity Defendant may be examined on behalf of the Plaintiff or any Co-defendant, &c., § 1.
5. Not necessary to state that Jurors had made Affirmation, § 2.
6. Suits commenced before the Act, § 3.
7. Not to extend to *Scotland*, § 4.

Exchequer Bills.

1. For further regulating the Preparation and Issue of Exchequer Bills, 5 & 6 *Vict. c.* 66.
2. Appointment of Assistant Comptroller, § 1.
3. Appointment of Clerks, § 2.
4. Repeal of Part of 48 *G.* 3. *c.* 1. *s.* 10.—§ 3.
5. Exchequer Bills to be signed by the Comptroller or Assistant Comptroller in his own Name, § 4.
6. Assistant Comptroller may act during Vacancy of Comptrollership, § 5.
7. Two Counterfoils to be made, § 6.
8. Manufacture of Paper for Exchequer Bills, § 7.
9. As to present Contracts, § 8.
10. Punishing Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bills, § 9.
11. Persons unlawfully having in possession Paper to be used as Exchequer Bills guilty of a Misdemeanor, § 10.

Exchequer Bills (Forged).

1. For appointing Commissioners to inquire as to the Issue, Receipt, Circulation, and Possession of certain forged Exchequer Bills, 5 & 6 *Vict. c.* 11.
2. Commissioners to be appointed, § 1.
3. Commissioners to be sworn, § 2.
4. Secretary and Clerks to be appointed, § 3.
5. Place of meeting, § 4.
6. Inquiry by Commissioners, § 5.
7. Reports to be laid before Parliament, § 6.
8. Power to send for Persons, Papers, &c. No Person compellable to answer any criminating Question, § 7.
9. Commissioners may give any Person a Certificate of his having made a true Disclosure of the Matters examined upon; which shall be a full Indemnification and Discharge, § 8.
10. Writs of Habeas Corpus may be granted for bringing up Persons in Custody to be examined, § 9.
11. Commissioners to examine on Oath, § 10.
12. Penalty for Non-attendance, or refusing to give Evidence, § 11.
13. Penalty for false swearing, § 12.
14. Limitation of Actions, § 13.
15. To enable Her Majesty to indemnify the Holders of certain forged Exchequer Bills, 6 & 7 *Vict. c.* 1.
16. Treasury may raise 262,000*l.* by Exchequer Bills. 48 *G.* 3. *c.* 1. 4 & 5 *W.* 4. *c.* 15. 5 & 6 *Vict. c.* 66.—§ 1.
17. The Clauses in recited Acts extended to this Act, § 2.
18. Bills to be payable out of Supplies of next Session, § 3.
19. Interest on Exchequer Bills, § 4.
20. Bills to be current at the Exchequer after Twelve Calendar Months from their Dates, § 5.
21. The Treasury to apply the Money raised, § 6.
22. The Attorney General may sue for the Amount from any previous Holder, § 7.
23. As to Monies recovered, § 8.

Exchequer (Court of).

1. For abolishing certain Offices on the Revenue Side of the Court of Exchequer in *England*, and for regulating the Office of Her Majesty's Remembrancer in that Court, 5 & 6 *Vict. c.* 86.
2. Abolishing certain Offices. Saving Rights to Sworn and Side Clerks to practise as Attornies, § 1.
3. The Queen's Remembrancer to perform the Duties heretofore performed by the First and Second Secondaries and Sworn and Side Clerks of his Office, subject to Regulation by the Orders of the Court, § 2.
4. The Lords of the Treasury to regulate Establishment of the Queen's Remembrancer, and to fix the Salaries, § 3.
5. Table of Fees to be established, § 4.
6. Account of Fees to be kept, § 5.
7. Power to the Treasury to award Compensation, § 6.
8. Attornies of Queen's Bench, &c. to practise on Revenue Side of the Court of Exchequer, § 7.
9. Writs and other Process to be made returnable without Delay, when necessary or proper, § 8.

10. Certain

10. Certain Revenue Orders may be made by a single Judge, § 9.
11. This Act not to affect Jurisdiction of the Court of Exchequer, § 10.

Excise.

1. To continue, until the End of the Session of Parliament next after the Thirty-first Day of *July* One thousand eight hundred and forty-four, certain of the Allowances of the Duty of Excise on Soap used in Manufactures, 5 & 6 *Vict. c.* 16.
2. To repeal the present and impose and allow new countervailing Duties and Drawbacks of Excise on Mixtures and Preparations made with Spirits, when removed from or into *England*, *Scotland*, or *Ireland* respectively; and to suspend for a limited Time so much of an Act of the present Session as repeals the Allowance on Spirits made from Malt only in *Ireland*, 5 & 6 *Vict. c.* 25.
3. Countervailing Duties and Drawbacks on Articles enumerated in 6 & 7 *W.* 4. *c.* 72. repealed, and new Duties and Drawbacks granted in lieu thereof, § 1.
4. New Duties and Drawbacks to be under the Commissioners of Excise, and to be recovered and paid as former ones, § 2.
5. So much of 6 & 7 *W.* 4. *c.* 72. as relates to the Removal of the Mixtures, &c. from *Scotland* to *Ireland*, or *Ireland* to *Scotland*, repealed, § 3.
6. What shall be deemed Made Wines, § 4.
7. Proportion of Proof Spirits to be added to and contained in Made Wines removed, § 5.
8. What shall be deemed *British* Compounds, § 6.
9. On Question whether the Commodities removed are of the Kind mentioned in the Entries and Permit, Proof to lie on the Defendant in any Information, and the Plaintiff in an Action against the Officer, § 7.
10. So much of 5 *Vict. Sess.* 2. *c.* 15. as repeals the Allowance on Spirits made from Malt only, in *Ireland*, suspended, § 8.
11. So much of last-recited Act as provides for Malt Spirits removed from *Scotland* to *Ireland* after 11th *March* repealed, § 9.
12. Commencement of Act, § 10.
13. To amend an Act of the Fourth Year of Her present Majesty, to discontinue the Excise Survey on Tobacco, and to provide other Regulations in lieu thereof, 5 & 6 *Vict. c.* 93.
14. Manufacturers to use Water only in manufacturing Tobacco, and no other Liquid or Substance than as herein described in manufacturing Snuff. Penalty 300*l.*, § 1.
15. Penalty not to be incurred by Use of Essential Oils for scenting or flavouring Snuff, § 2.
16. Penalty on receiving, sending out, or having in possession Tobacco or Snuff manufactured otherwise than with Water, 200*l.*, § 3.
17. Tobacco manufactured otherwise than with Water forfeited, § 4.
18. Manufacturers not to have in their Possession Sugar, Honey, Leaves, &c. Penalty 200*l.*, § 5.
19. Manufacturers of Tobacco who are also Grocers at the passing of the Act may continue to carry on the Trades, § 6.
20. Officers of Excise may take Samples of Tobacco or Snuff, § 7.
21. No Person to cut, colour, or manufacture, or have in his Possession, any Leaves or other Matters to imitate or to be mixed with Tobacco or Snuff. Penalty, § 8.
22. 3 & 4 *Vict. c.* 18. *s.* 7. repealed, § 9.
23. Tobacco Stalks not to be removed in less Quantities than Fifty Pounds, nor without a Certificate. Penalty, § 10.
24. 3 & 4 *Vict. c.* 18. *s.* 11. and 12. repealed, § 11. and 12.
25. No Person to hawk about Tobacco or Snuff for Sale under a Penalty, and Officers may arrest Offenders, and convey them before a Justice of the Peace, who shall forthwith hear the Case, and inflict or mitigate the Penalty. Proviso, § 13.
26. Interpretation of Terms, § 14.
27. Commencement of Act, § 15.

See *Malt* (*Roasted*).

F.

Falkland Islands, See Africa (Coast of).

Fines and Recoveries.

1. For better recording Fines and Recoveries in *Wales* and *Cheshire*, 5 & 6 *Vict. c.* 32.
2. All Fines levied in the late Courts of Great Sessions in *Wales* and the Court of Session in *Cheshire* shall be held to be good in Law, notwithstanding any Neglect in keeping the Record, § 1.
3. Certain Fines taken to be levied with Proclamations, § 2.
4. Certain Recoveries declared good in Law, § 3.
5. Fines and Recoveries may be enrolled in the Office of Registrar of Court of Common Pleas, § 4.
6. Saving the amending Power of Court of Common Pleas, § 5.

Fisheries, British and French, See Convention; Public Works and Fisheries.

Fleet Prison, See Queen's Bench Prison.

Flour, See Customs, 96; Importation and Exportation; Wheat.

Foreign Securities, See Assessed Taxes, 8.

Foreign Treaties, See Apprehension of Offenders, 12-19; Conventions; Customs, 90; Slave Trade, 1, 21, 26, 35, 49, 69, 82, 103, 127, 129, 130.

Forest of Dean.

1. To provide for the Relief of the Poor in the Forest of *Dean* and other Extra-parochial Places in and near the Hundred of *Saint Briavel's* in the County of *Gloucester*, 5 & 6 *Vict. c.* 48.
2. Forest of *Dean* divided into Two Townships by the Names of "*East Dean*" and "*West Dean*," § 1.
3. Each of such Townships to maintain its own Poor as other Townships in *England* and *Wales*, and Overseers to be appointed, § 2.
4. *East Dean* Township shall be added to the *Westbury-upon-Severn* Union, and *West Dean* to the *Monmouth* Union; Guardians may be appointed for such Townships, and

and the Poor Law Commissioners to determine the Proportions in which they contribute, § 3.
5. Paid Officers may be appointed to make and levy the Rates, § 4.
6. As soon as a Rate has been made, and Half thereof collected, Overseers to certify Collection to the Poor Law Commissioners, and thenceforth be liable to the Orders of the Boards of Guardians, § 5.
7. The *Hudnolls, Bearse, Fence,* and *Mawkins Hazells* to be divided into Two Districts, and annexed by the Poor Law Commissioners to the Parishes of *Saint Briavel's* and *Hewelsfield,* § 6.
8. *Mailscot* and a Place near the new Weir annexed to the Parish of *English Bicknor. Walmore* and *Northwoods Green* annexed to *Westbury-upon-Severn,* § 7.
9. Orders of Poor Law Commissioners under this Act may be enforced in like Manner as other Orders, § 8.
10. Act not to affect the Registration of Voters for Members of Parliament, § 9.
11. General Saving of the Crown's Rights, § 10.
12. Public Act, § 11.
13. To divide the Forest of *Dean* in the County of *Gloucester* into Ecclesiastical Districts, *5 & 6 Vict. c.65.*
14. The Commissioners for building new Churches to divide the Forest of *Dean* into Ecclesiastical Districts, § 1.
15. The Chapels to which Districts shall be assigned to be Perpetual Curacies, and Incumbents to have perpetual Succession, and empowered to receive Endowments in Land or Tithes, § 2.
16. Marriages, Baptisms, Burials, &c. may be solemnized in the Chapels, § 3.
17. The Commissioners of Woods, on behalf of Her Majesty, to augment the Endowments of the Three existing Chapels, and to endow an intended new Chapel when built and consecrated, § 4.
18. Commissioners of Woods to augment the existing Fund set apart for the Maintenance and Repair of the Chapels, § 5.
19. Commissioners of Woods may make Grants for increasing Sites of existing Burial Grounds, and of intended Chapel and Burial Ground and Parsonage House, &c., § 6.
20. Patronage of *Christchurch, Holy Trinity,* and intended new Chapel vested in Her Majesty, § 7.
21. Patronage of *St. Paul's,* § 8.
22. Saving Rights of the Crown, § 9.

See *Hundred of Saint Briavel's.*

Forged Exchequer Bills, See Exchequer Bills (Forged).

G.

Gaols, See Prisons.

General Issue, See Costs.

Glebe Lands, See Clergy.

Grain, See Importation and Exportation.

Great Sessions (Courts of, in Wales), See Fines and Recoveries.

H.

Hackney Carriages.

1. For regulating Hackney and Stage Carriages in and near *London, 6 & 7 Vict. c.* 86.
2. *1 & 2 Vict. c.* 79. repealed. Licences to continue in force until others are granted, § 1.
3. Meaning of certain Words used in this Act, § 2.
4. Certain Provisions of *1 & 2 W. 4. c.* 22. extended to this Act. Proviso, § 3.
5. Title and Place of Abode of a Peer of the Realm painted on any Carriage, &c. to be deemed a Compliance with the Provisions of the Act, § 4.
6. Appointment of Registrar, Deputy Registrar, and other Officers, § 5.
7. Salaries, § 6.
8. Particulars to be painted on Metropolitan Stage Carriages, § 7.
9. Registrar to grant Licences. At the Time of granting any Licence an Abstract of the Laws and a Ticket to be given, § 8.
10. A Stamp Duty of Five Shillings on every Licence granted under this Act, § 9.
11. Penalty on Persons acting as Drivers, &c. without Licences and Tickets, *5l.*; on Proprietors suffering Drivers or Conductors so to do, *10l.*, § 10.
12. Watermen may be removed to other Standings, § 11.
13. Appointment of temporary Watermen, § 12.
14. For obtaining Water at Hackney Stands, § 13.
15. Persons applying for Licences to sign a Requisition for the same, § 14.
16. Notice to be given by Drivers, Conductors, and Watermen of any Change of Abode, § 15.
17. Particulars of Licences to be entered in a Book at the Registrar's Office, § 16.
18. Tickets to be worn by Drivers, § 17.
19. Licences and Tickets to be delivered up on the Discontinuance of Licences, § 18.
20. New Tickets to be delivered instead of defaced or lost Tickets, § 19.
21. Forgery of Licence or Ticket, or knowingly uttering a forged Licence or Ticket, a Misdemeanor, § 20.
22. Proprietor to retain the Licence of Drivers or Conductors employed by him, and produce them in case of Complaint, § 21.
23. Magistrates to hear and determine Disputes, § 22.
24. Agreements between Drivers, &c. and Proprietors to be in Writing, § 23.
25. Proceedings with respect to Licences on quitting Service, § 24.
26. Licences may be revoked or suspended, § 25.
27. Hackney Carriage Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence. Penalty for obstructing Officer, *5l.* Licences may be revoked in certain Cases, § 26.
28. No Person to act as Driver of any Carriage without the Consent of the Proprietor, § 27.
29. Punishment for furious Driving, and wilful Misbehaviour, § 28.
30. Standings for Hackney Carriages to be appointed, § 29.
31. Standings to be in the Centre of Streets, § 30.
32. Hackney Carriages not to ply opposite General Post Office, § 31.
33. Lord Mayor and Aldermen to make Regulations with respect to Carriages, &c. in the City and the Borough, § 32.

34. Penalty on Drivers of Hackney Carriages, or Drivers or Conductors of Metropolitan Stage Carriages, for loitering or causing any Obstruction, or plying for Hire by making any Noise, &c., § 33.
35. Property left in Stage Carriages, § 34.
36. Proprietors may be summoned to appear, and to produce the Driver or Conductor. In case of Proprietors failing so to do, § 35.
37. Magistrates empowered to hear and determine Complaints, § 36.
38. Evidence of Complainant to be taken, § 37.
39. Complaints to be made within Seven Days, § 38.
40. Penalties may be awarded to be paid by Instalments. In case of Nonpayment the Party may be imprisoned. Proviso, § 39.
41. In what Manner Goods distrained under this Act shall be sold, § 40.
42. Service of Summonses and other Notices, § 41.
43. Penalty on Witnesses refusing to attend or to give Evidence, § 42.
44. Certain Proceedings to be drawn up according to the Forms in the Schedule, § 43.
45. Providing for Cases where there are more Proprietors than One, § 44.
46. Power to mitigate Penalties, § 45.
47. Appropriation of Penalties, § 46.
48. Limitation of Actions. Venue. Notice of Action. Tender of Amends, § 47.
49. Schedule.

Harbours, Piers, Ports, Docks, Dockyards, &c. &c. in Great Britain.

1. *Aberdeen* Harbour — Improving and maintaining, 6 & 7 *Vict. c.* lxxii.
2. *Ardrossan* Harbour — Amending Act for erecting and providing for the Improvement of said Harbour, 5 & 6 *Vict. c.* lxii.
3. *Borrowstounness* Harbour — Providing for the Improvement of, 6 & 7 *Vict. c.* lxix.
4. *Boston* Port and Harbour — Amending Acts relating to, 5 & 6 *Vict. c.* lx.
5. *Bristol* Floating Dock — Repealing Act relating to, 5 & 6 *Vict. c.* xxxi.
6. *Burntisland* — Constructing a Low-water Pier and necessary Works, and other Purposes, 5 & 6 *Vict. c.* xci.
7. *Dalton-in-Furness* — Erecting a Pier in *Pile* Harbour in the Parish of, 6 & 7 *Vict. c.* xlii.
8. *Deptford* Pier and other Works — Amending Act relating to, 5 & 6 *Vict. c.* xcvii.
9. *Dundee* Harbour — Amending Acts, and more effectually maintaining, improving, and extending the Harbour, 6 & 7 *Vict. c.* lxxxiii.
10. *Gosport* — Making a Pier at, in the Parish of *Alverstoke*, 5 & 6 *Vict. c.* xxxii.
11. *Granton* Pier — Amending Act relating to, 5 & 6 *Vict. c.* xix.
12. *Gravesend* — Amending Acts relating to the Town Quay and Pier, 5 & 6 *Vict. c.* lviii.
13. ——— Erecting a Pier at the *Royal Terrace Gardens*, 5 & 6 *Vict. c.* lix.
14. *Greenock* Harbours — Improving, enlarging, and maintaining, 5 & 6 *Vict. c.* liv.
15. *Ipswich* Dock — Enlarging the Powers of the Commissioners, 6 & 7 *Vict. c.* xx.
16. *Llanelly* Harbour — Improving said Harbour, and other Purposes, 6 & 7 *Vict. c.* lxxxviii.
17. *Liverpool* Docks and Harbour — Amending Acts relating to, 6 & 7 *Vict. c.* xcviii.
18. *Neath* Port and Harbour — Improving and maintaining, 6 & 7 *Vict. c.* lxxi.
19. *North Esk* River — Making a Reservoir at *Deerhope* or *Fairliehope*, 6 & 7 *Vict. c.* cvi.
20. *Saltcoats* Harbour — Further improving and maintaining, 6 & 7 *Vict. c.* xlv.
21. *Saundersfoot* Harbour — Enabling the Company to make a floating Dock at *Saundersfoot*, and extending the Provisions of the Act with reference to the Harbour, 5 & 6 *Vict. c.* liii.
22. *Scarborough* Harbour — Amending several Acts relating to, and improving the said Harbour, 6 & 7 *Vict. c.* xl.
23. *Southampton* Docks — Converting Shares in the Capital authorized to be raised for making the Docks into Stock, raising a further Sum of Money, and amending Acts, 6 & 7 *Vict. c.* lxv.
24. *Thames Haven* Dock and Railway — Amending Act relating to, 5 & 6 *Vict. c.* lxxxix.
25. *Warkworth* Harbour — Amending Acts relating to, 5 & 6 *Vict. c.* lvii.

Hayti (Republic), See Slave Trade, 21.

Highway Rates.

To continue until the First Day of *August* One thousand eight hundred and forty-four, and, if Parliament be then sitting, to the End of the then next Session of Parliament, an Act for authorizing the Application of Highway Rates to Turnpike Roads, 6 & 7 *Vict. c.* 59.

Holyrood House.

For carrying into effect an Agreement between the Commissioners of Her Majesty's Woods and the Earl of *Haddington*, for the Purchase and Surrender of the Office of Hereditary Keeper of the Royal Park of *Holyrood House*, and for other Purposes relating thereto, 6 & 7 *Vict. c.* 64.

Houses of Correction, See Prisons.

Hundred of Saint Briavel's.

To abolish the Court of *Saint Briavel's*, and for the more easy and speedy Recovery of Small Debts within the Hundred of *Saint Briavel's* in the County of *Gloucester*, 5 & 6 *Vict. c.* 83.

See *Forest of Dean.*

I.

Importation and Exportation.

1. To amend the Laws for the Importation of Corn, 5 & 6 *Vict. c.* 14.
2. 9 *G.* 4. *c.* 60. repealed, § 1.
3. Corn, &c. may be imported from Foreign Countries, and from the *British* Possessions out of *Europe*, on Payment of the Duties specified in the Table to this Act, § 2.
4. Repeal of 5 & 6 *W.* 4. *c.* 13. imposing the same Duties on the Importation of Foreign Corn into *Isle of Man* as into United

United Kingdom under 9 *G.* 4. *c.* 60. Foreign Corn imported into the *Isle of Man* to pay the same Duties as are imposed by this Act on Foreign Corn imported into the United Kingdom, § 3.

5. Actions, &c. for Breach of Provisions of Acts hereby repealed, or for Duties payable under them, may be proceeded with, § 4.
6. Regulations to be observed in shipping Corn from *British* Possessions out of *Europe*, § 5.
7. Prohibition of Importation of Malt, § 6.
8. Accounts of Corn imported, of Corn upon which Duty is paid, of the Rates of Duty, and of Corn in Warehouse, to be published monthly, § 7.
9. If any Foreign State shall subject *British* Vessels, Goods, &c. to any higher Duties or Charges than are levied on the Vessels of other Countries, &c., Her Majesty may prohibit the Importation of Corn from such State, § 8.
10. Weekly Returns of Purchases and Sales of Corn to be made in Places mentioned in Schedule to the Act, § 9.
11. Power of appointing a Comptroller of Corn Returns, § 10.
12. Comptroller to execute his Office in Person. A Deputy may be appointed to act in certain Cases, § 11.
13. Lord Mayor, &c. to appoint Inspector of Corn Returns for the City of *London*, § 12.
14. Said Inspector to execute his Office in Person. A Deputy may be appointed to act in certain Cases, § 13.
15. Chancellors of the Universities of *Oxford* and *Cambridge* to appoint and remove Inspectors of Corn Returns for the said City and Town, § 14.
16. No Person dealing in Corn, Flour, or Malt to be appointed Inspector or Deputy Inspector of Corn Returns for the Cities of *London* or *Oxford* or Town of *Cambridge*, § 15.
17. Appointments of Inspectors for *London*, *Oxford*, and *Cambridge* to be enrolled, § 16.
18. Dealers in Corn in and near *London* to deliver in Declaration to Lord Mayor, &c. Form of Declaration, § 17.
19. Dealers in Corn to make Returns to Corn Inspector, § 18.
20. The present Comptroller, Deputy Comptroller, and Inspectors of Corn Returns for *London*, *Oxford*, and *Cambridge* to continue in Office. The Appointments of the other Inspectors of Returns to cease on the 24th Day of *June* next after the passing of this Act, § 19.
21. In other Cities and Towns than *London*, *Oxford*, and *Cambridge*, Officers of Excise to act as Corn Inspectors, and attend at Places appointed, § 20.
22. Commissioners of Excise to make known the Place to be appointed for delivering Returns of Corn purchased, § 21.
23. Inspectors of Corn Returns may continue to hold their Offices by Warrant of the Commissioners of the Treasury, § 22.
24. Dealers in Corn in Cities and Towns to make Declaration Form of Declaration. Declaration to be delivered to Mayor, &c., who shall give a Certificate thereof to the Officer of Excise acting as Inspector of Corn Returns, § 23.
25. Inspectors of Corn Returns empowered to require such Declaration from Corn Dealers, § 24.
26. Corn Dealers to make Returns in Writing to Inspectors of the Corn bought by them, § 25.
27. Inspectors to enter Returns made to them in a Book, and transmit to the Comptroller weekly an Account of the Quantities and Prices of Corn sold, § 26.
28. Inspectors not to include Returns until they have ascertained that the Persons making them have taken the Declaration required, § 27.
29. Average Prices to be made up and published every Week. Certificate of Averages to be transmitted to chief Officers of Customs. Rate and Amount of Duties how to be regulated, § 28.
30. How Quantities of Corn to be computed, § 29.
31. Until sufficient Number of Returns are made, Comptroller may use the present Averages, § 30.
32. What shall be deemed *British* Corn, § 31.
33. If any Corn Return is believed fraudulent, the same may be omitted in the Computation, § 32.
34. Corn Dealers having made the Declaration previous to this Act shall transmit Returns, and comply with the Rules hereby required, § 33.
35. Comptroller to issue Directions respecting Inspection of Books of Inspectors. Inspectors not to permit Books to be perused without such Directions, § 34.
36. Copy of the last Return to be affixed on Market Place on each Market Day, § 35.
37. Treasury to fix Salaries of Inspectors, § 36.
38. Regulation as to Payment of Salaries, § 37.
39. Power to Lords of Treasury to grant Compensation to Inspectors of Corn Returns, § 38.
40. Penalty on Corn Dealers for not making Declarations or Returns, § 39.
41. Recovery and Application of Penalties, § 40.
42. Penalty on Witnesses not attending when required, § 41.
43. Punishment for making false Returns, § 42.
44. Act not to affect the Practice of measuring or Privileges of the City of *London*, § 43.
45. Limitation of Actions, § 44.
46. Schedules.

Inclosures.

Local Acts relating to Inclosures for particular Places.

1. BEDFORD.—*Leighton Bussard* Parish, inclosing Lands, 6 & 7 *Vict. c.* 13. (*Pr.*)
2. BUCKS.—*Buckland* Parish, inclosing Lands, 5 & 6 *Vict. c.* 6. (*Pr.*)
3. CAMBRIDGE. — *Cottenham*, *Rampton*, and *Willingham* Parishes, draining certain Fen Lands and Low Grounds, 5 & 6 *Vict. c.* xxiii.
4. ——— *Cottenham* Parish, inclosing Lands, 5 & 6 *Vict. c.* 3. (*Pr.*)
5. ——— *Haddenham* Parish, *Isle of Ely*, inclosing Lands, 6 & 7 *Vict. c.* 8. (*Pr.*)
6. CARNARVON and DENBIGH.—*Eglwlys-rhos*, *Llandudno*, *Llangwstenin*, and *Llandrillo* Parishes, inclosing Lands, 6 & 7 *Vict. c.* 14. (*Pr.*)
7. CUMBERLAND. — *Wakeyhill* Common in the Parish of *Stapleton*, inclosing Lands, 5 & 6 *Vict. c.* 2. (*Pr.*)
8. ——— Manor of *Castlerigg* and *Derwentwater* in the Parish of *Crosthwaite*, inclosing Lands, 5 & 6 *Vict. c.* 44. (*not printed.*)
9. DEVON.—*Kilmington* Parish, inclosing Lands, 5 & 6 *Vict. c.* 14. (*Pr.*)
10. ESSEX.—*Great Bromley* Parish, inclosing Lands, 6 & 7 *Vict c.* 9. (*Pr.*)
11. GLOUCESTER.— *Yate* Parish, inclosing Lands, 5 & 6 *Vict. c.* 8. (*Pr.*)
12. HUNTINGDON.— *Great Gransden* Parish, inclosing Lands, 6 & 7 *Vict. c.* 4. (*Pr.*)
13. ISLE of ELY and COUNTIES of NORFOLK and SUFFOLK. —Amending Acts for draining and preserving certain Fen Lands and Low Grounds near *Mildenhall* River, so far as relates

relates to the Second District therein described, and extending the Limits of such District, 6 & 7 *Vict. c.* lxvi.

14. LEICESTER.—*Medbourn* Parish, inclosing Lands, 5 & 6 *Vict. c.* 10. (*Pr.*)
15. LINCOLN.—*Clee* Parish, inclosing Lands, 5 & 6 *Vict. c.* 1. (*Pr.*)
16. ——— *Bourn* Parish, better Drainage of Lands in *Bourn North Fen* and *Dyke Fen* (amending Act), 6 & 7 *Vict. c.* xxxvii.
17. ——— Draining, &c. Fen Lands and Low Grounds in the Parishes, Hamlets, &c. of *Bardney, Southrow* otherwise *Southry, Tupholme, Buchnall, Horsington, Stixwould, Edlington*, and *Thimbleby*, 6 & 7 *Vict. c.* lxxvi.
18. NORFOLK.— *Ormsby Saint Margaret, Ormsby Saint Michael, Ormsby Saint Peter*, and *Ormsby Saint Andrew*, and *Scratby* otherwise *Scroteby* Parishes, inclosing Lands, 5 & 6 *Vict. c.* 9. (*Pr.*)
19. OXFORD.—*Britwell Salome* and *Britwell Prior* Parishes, inclosing Lands, 5 & 6 *Vict. c.* 13. (*Pr.*)
20. ——— Manor and Hamlet of *Grafton* in the Parish of *Langford*, inclosing Lands, 6 & 7 *Vict. c.* 3. (*Pr.*)
21. ——— *Chalgrove* Parish, inclosing Lands, 6 & 7 *Vict. c.* 7. (*Pr.*)
22. SOMERSET. — *Huish Champflower, Clatworthy*, and *Brompton Ralph* Parishes, inclosing Lands, 5 & 6 *Vict. c.* 7. (*Pr.*)
23. SOUTHAMPTON.— *Kingsclere* Parish, inclosing Lands, 5 & 6 *Vict. c.* 5. (*Pr.*)
24. ——— *Littleton* Parish, inclosing Lands, 6 & 7 *Vict. c.* 1. (*Pr.*)
25. SURREY.—Manor and Parish of *Charlwood*, inclosing Lands, 6 & 7 *Vict. c.* 5. (*Pr.*)
26. YORK.—Township of *Cliffe-cum-Lund* in the Parish of *Hemingbrough*, inclosing Lands, 6 & 7 *Vict. c.* 6. (*Pr.*)
27. ——— *Sowerby* and *Soyland* in the Parish of *Halifax*, inclosing Lands, 6 & 7 *Vict. c.* 10. (*Pr.*)

Income Tax, See Assessed Taxes, 1, 11; Property Tax.

Incumbents, See Clergy.

Indemnity.

1. Annual Acts to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-three; and for the Relief of Clerks to Attornies and Solicitors in certain Cases, 5 & 6 *Vict. c.* 10., 6 & 7 *Vict. c.* 9.
2. To indemnify Witnesses who may give Evidence before the Committee appointed by the House of Commons to inquire "whether corrupt Compromises have been entered into in the Cases of Election Petitions presented from *Harwich, Nottingham, Lewes, Penryn*, and *Falmouth, Bridport*, and *Reading*, for the Purpose of avoiding Investigation into gross Bribery alleged to have been practised at the Elections for the aforesaid Towns, and whether such Bribery has really taken place," 5 & 6 *Vict. c.* 31.
3. Committee may grant a Certificate of Indemnity to any Person examined before them, § 1.
4. To indemnify Witnesses who may give Evidence before the Lords Spiritual and Temporal on a Bill to exclude the Borough of *Sudbury* from sending Burgesses to serve in Parliament, 5 & 6 *Vict. c.* 52. 6 & 7 *Vict. c.* 11.
5. All Persons implicated in Bribery at Election of Members for *Sudbury*, who may be examined before the House of Lords, and shall make a faithful Disclosure, indemnified, § 1.
6. Witnesses examined before the House of Lords, or any Committee thereof, not to be indemnified, unless they shall have a Certificate from the Lord Chancellor, § 2.

See *Exchequer Bills* (*Forged*).

Indian Bishops, See Bishops (Indian).

Inns, See Public Houses.

Insane Persons.

1. To amend and continue for Three Years, and from thence to the End of the next Session of Parliament, the Laws relating to Houses licensed by the Metropolitan Commissioners and Justices of the Peace for the Reception of Insane Persons, and for the Inspection of County Asylums and Public Hospitals for the Reception of Insane Persons, 5 & 6 *Vict. c.* 87.
2. Altering the Time of appointing the Metropolitan Commissioners. Proviso, § 1.
3. Increasing the Number of Physicians and Barristers hereafter to be appointed, § 2.
4. Three Commissioners a Quorum to administer the Oath to other Commissioners, § 3.
5. Meetings may be convened by Three Commissioners, giving Twenty-four Hours Notice; but Five required to form a Meeting, § 4.
6. Altering the Time within which Persons improperly confined may be set at liberty by the Metropolitan Commissioners, § 5.
7. Special Return by the Clerks of the Peace in the Month of *August* this Year, § 6.
8. Houses licensed by the Justices to be visited Twice a Year by Metropolitan Commissioners, § 7.
9. Metropolitan Commissioners to report as to System of Non-coercion in licensed Houses, § 8.
10. Also as to Classification, § 9.
11. Also as to Effect of Occupations and Amusements, § 10.
12. Also as to Condition of Pauper Patients (if any) when received, and as to the Dietary; and to make special Observations on other Heads, as may seem fit, § 11.
13. Report of each House to be signed, and sent to the Clerk of the Commissioners, § 12.
14. A Patients Book as well as a Visitors Book to be kept in every licensed House, and both Books to be produced, § 13.
15. Penalty on Omission to produce the Books, § 14.
16. The Commissioners to consider the Cases to which their Attention may be drawn, and make Entry thereof in the Patients Book, § 15.
17. Commissioners may make special Visits, and after Two such Visits may, subject to certain Restrictions, liberate a Patient, § 16.
18. Notice of special Visits, § 17.
19. Mode of serving Notice, § 18.
20. Restricting the Power of Liberation, § 19.
21. Applications for Licences to state whether for Male or Female Patients, and if for both, the Means of keeping them apart, § 20.
22. Clerks of Peace to send to the Commissioners within Fourteen Days Copies of Licences granted by Justices, under a Penalty of 50*l.*, § 21.

23. On Application for renewed Licences, Lists of Patients then in the House to be returned, § 22.
24. Penalty for not making Returns, § 23.
25. Commissioners may order Clerk to give Information as to Persons confined in Houses licensed by Justices, § 24.
26. Increasing the Penalty for Lists of Visitors not being sent by Clerk of the Peace to Metropolitan Commissioners, § 25.
27. Proprietors of licensed Houses in Country to send to Clerk of Commissioners Copy of every Entry in Visitors Book and in Patients Book, § 26.
28. Returns to be made of every Patient escaping, and of his Re-admission, § 27.
29. Penalty for not transmitting Notice, § 28.
30. Clerk of Peace to receive such Remuneration as allowed by the Justices, § 29.
31. Metropolitan Commissioners to visit County Lunatic Asylums annually, § 30.
32. Metropolitan Commissioners to report whether the Provisions of the Law are acted upon, § 31.
33. To report as to any System of Non-coercion, § 32.
34. As to Classification of Patients, § 33.
35. As to in-door and out-door Amusements and Occupations, and their Effect, § 34.
36. And as to the Condition of the Pauper Patients when received into the Asylum, and the Dietary; and to report generally as to Asylums and Patients, § 35.
37. Lists in Form of Schedule (B.) to be made of Patients in the Asylum at the Beginning of each Year, and the Numbers admitted and discharged during each Year, § 36.
38. The Reports to be signed, and sent to the Clerk of the Commissioners, § 37.
39. Lord Chancellor and Secretary of State, or either of them, may require Metropolitan Commissioners to visit and report as to the Royal Military and Naval Hospitals and other public Asylums for the Reception of Insane Persons, § 38.
40. Commissioners to be paid their Expences, § 39.
41. Commissioners to be paid One Pound an Hour for visiting within the Metropolitan District, § 40.
42. Commissioners to be paid Five Guineas a Day whilst visiting beyond the Metropolitan District, § 41.
43. Amount of Payments and Allowances to be paid by the Clerk, § 42.
44. The Metropolitan Commissioners to enforce the Provisions of the different Acts, § 43.
45. Treasury may advance Money, § 44.
46. Commissioners may summon Witnesses, subject to a Penalty for Neglect, § 45.
47. Penalties herein-before contained to be recovered in the Courts of Record at *Westminster*, with Power to the Judge to reduce the Amount, § 46.
48. Parties not to be subject to Penalties for omitting to send Copy of Licence, &c. if it can be proved to have been sent by the Post in due Time, § 47.
49. Existing Acts considered as repeated in this Act, § 48.
50. Commencement of Act. Continuance of this and recited Acts, § 49.
51. Schedules.

Insolvent Debtors.

1. For the Relief of Insolvent Debtors, *5 & 6 Vict. c.* 116.
2. Any Person not being a Trader, or being a Trader owing less than 300*l.*, on giving and publishing the required Notice, may present a Petition to the Court of Bankruptcy, stating the Debts owing by and to him. Judge or Commissioner of the Court of Bankruptcy thereupon to grant a Protection. Estate and Effects shall forthwith be vested in the Official Assignee, § 1.
3. Not to prevent Insolvent from being arrested under a Judge's Order, § 2.
4. Rotation of Commissioners, and Orders relating to the hearing of Petitions, § 3.
5. Commissioner to examine the Petitioner, &c. on Oath. Adjournment of Examination. If Commissioner satisfied with Allegations of the Petitioner, he may make a Final Order for his Protection, &c. Allowance for Support, § 4.
6. Renewal of Order for Protection, § 5.
7. Punishment for Prevarication, &c. Power of Commitment, § 6.
8. On passing of Final Order, Estate of Petitioner to be vested in his Assignees. Provision for Death or Removal of Assignees, § 7.
9. Certificate of Appointment of Assignees to be registered where required. Title of Purchasers not to be invalidated by the Appointment of an Assignee, § 8.
10. Estate of Petitioner to be absolutely vested in his Assignees. Assignee not to take possession of Estate, &c. without an Order for the Purpose, § 9.
11. Proof of Presentation of Petition and making of Final Order to bar Suits, § 10.
12. Proof of Appointment of Assignees, § 11.
13. Creditor or Official Assignee may make Motion for rescinding Final Order in part. Commissioner to hear Motion. Notice of Motion. Costs of Motion, § 12.
14. Judges and Commissioners may make Orders for carrying Act into execution. Orders to be approved by the Lord Chancellor, and laid before Parliament, § 13.
15. Time when Act shall come into operation, § 14.
16. Schedule.

IRELAND.

Affidavits, See *General Index*, Affidavits.

Arms, &c. (Importation of).

1. To amend and continue for Two Years, and to the End of the then next Session of Parliament, the Laws in *Ireland* relative to the registering of Arms, and the Importation, Manufacture, and Sale of Arms, Gunpowder, and Ammunition, *6 & 7 Vict. c.* 74.
2. Licences to keep Arms how to be applied for. Clerk of Petty Sessions, on Receipt of Applications, shall enter them in a Book, which shall be open to Inspection of Justices, &c.; and transmit them to Clerk of the Peace, who shall make a List thereof, § 1.
3. Applications for Licences to be considered at the Sessions for the Division where the Applicant resides. Special Days and Hours to be appointed for hearing Applications at each Session. Applications previous to such fixing of Days to be made pursuant to Laws now in force. Justices may appoint additional Days, and adjourn Sessions, &c., § 2.
4. Licences how to be granted, § 3.
5. Persons already licensed, applying to Sessions within Twenty-one Days of Commencement of Act, to be licensed without Inquiry, unless a Notice of Inquiry shall have been served upon him, § 4.

6. Licences to be registered, § 5.
7. Clerk of the Peace shall from Time to Time revise the Registry, and expunge the Names of dead Persons, &c., § 6.
8. List of Persons licensed at each Sessions to be made, § 7.
9. Appeal against Refusal of Licence, § 8.
10. Arms to be marked, § 9.
11. Licences to be applied for at subsequent Sessions as at the first, § 10.
12. If Licence lost or destroyed, a Certificate to be granted in lieu thereof at Petty Sessions, § 11.
13. Licensed Persons changing Abode shall give Notice, § 12.
14. Penalty for keeping Arms without Licence, § 13.
15. Exemptions from Penalty, § 14.
16. Justice, &c. may examine Arms carried by any Person, and require his Name and Abode. Person refusing to allow Arms to be examined, or to tell his Name, &c. may be apprehended. Persons apprehended to be brought before a Justice within Twelve Hours, § 15.
17. Penalty for refusing to allow Examination of Arms, or to tell Name and Abode, § 16.
18. Persons acquiring Arms before the Sessions exempted from the Penalty if they give Notice to the Petty Sessions, § 17.
19. In case of Death of licensed Person Licence may be temporarily assigned to some Member of the Family by Justices at Petty Sessions. Clerk of Petty Sessions to transmit Notice thereof to Clerk of the Peace, who shall note it in Registry. In case Magistrates do not think fit to assign. Proviso as to the Members of the Family of the deceased Person, § 18.
20. Persons licensed to keep Arms disposing of same to give Notice of such Sale. Penalty, § 19.
21. Licensed Persons to produce Arms when required by Justices at Petty Sessions, § 20.
22. Justices may withdraw Licences, and cause Names to be erased, and give Notice to such Persons, § 21.
23. Persons served with such Notices who do not deliver up their Licences and Arms shall be liable to Forfeiture, § 22.
24. Justices, &c. may enter Houses on Suspicion of having Arms unregistered, &c., § 23.
25. Two Justices having Suspicion that Arms are unlawfully kept in any County, they may report to the Lord Lieutenant, who by Warrant may order general Search to be made for them. Proviso, § 24.
26. Penalty on Persons having Pikes, &c. in their Possession, § 25.
27. No Arms, Gunpowder, &c. shall be imported into *Ireland* without Licence from the Lord Lieutenant, § 26.
28. Persons may import Arms for personal Defence or sporting, on registering same with Officer of the Port, § 27.
29. Arms, &c. imported without Licence to be forfeited, and Penalty of 10*l.* on Importer, § 28.
30. No Person in *Ireland* to manufacture Gunpowder without Licence of Lord Lieutenant, &c. Penalty 50*l.*, and Forfeiture of Gunpowder, &c., § 29.
31. No Person not licensed as a Manufacturer to sell Gunpowder without Licence for that Purpose. Penalty 50*l.*, and Forfeiture of Gunpowder, &c., § 30.
32. No Dealer shall sell Gunpowder but to a licensed Dealer or to a Person licensed to keep Arms, except for mining or blasting, under the Certificate of One or more Justices. Penalty, § 31.
33. A Certificate to purchase Gunpowder for mining or blasting may be granted by One or more Justices, § 32.
34. No Gunpowder or Ammunition to be kept by unlicensed Persons, § 33.
35. Notice shall be given of sending out Arms, and they shall be marked, § 34.
36. Notice shall be given of sending out Gunpowder. Penalty on Fraud by Manifest, 20*l.*, &c., § 35.
37. Gunpowder exceeding Twenty-five Pounds Weight shall be removed in Casks, &c. Penalty 20*l.*, § 36.
38. Penalty on licensed Persons lending Licences to unlicensed Persons, § 37.
39. Gunpowder Makers and Dealers, within Thirty Days after Commencement of Act, and afterwards monthly, shall return Account of their Stock to Inspectors, &c. of Constabulary, and keep Books with Accounts of Sales, &c., to be inspected and Stock examined under Orders of Inspector General, § 38.
40. Licences to be had for making or repairing Arms. Penalty 50*l.*, § 39.
41. Penalty on Persons making or assisting in making Pikes, &c. without Licence, § 40.
42. Monthly Account of Arms sold, &c. shall be kept and returned to Inspector, &c. of Constabulary Force. Books may be examined. Penalty on Default, &c., 20*l.*, § 41.
43. Licences under this Act may be suspended on Notice from Chief or Under Secretary to Party licensed. Penalty on making or selling Gunpowder during Suspension of Licence, § 42.
44. Justice of Peace may search or authorize the searching for Arms and Gunpowder kept contrary thereto. Proviso, § 43.
45. How Arms and Gunpowder seized shall be disposed of, § 44.
46. How Offences against this Act incurring a Penalty not exceeding 20*l.* may be tried. Penalty to be recovered by Distress and Sale of Offender's Goods. If no Goods or Chattels, Offender may be imprisoned, § 45.
47. Recovery of Fines and Penalties exceeding 20*l.*, § 46.
48. Lord Lieutenant may remit Penalties, &c., § 47.
49. Proof of Licence to lie on the Person claiming the Benefit of it, § 48.
50. Grand Juries may present Sums necessarily disbursed for marking Arms and for paying Clerks of the Peace for executing this Act, § 49.
51. This Act not to extend to Her Majesty's Forces, &c., § 50.
52. Members of Yeomanry Corps to register their Arms, § 51.
53. Licences to Museums, &c. to keep Arms without being marked. Proviso, § 52.
54. Penalties on Officers for Breach of Duty, § 53.
55. Not to prejudice Rights of Action, § 54.
56. Provisions as to the County of the City of *Dublin*, § 55.
57. Provisions for Places not included in any Petty Sessions District, § 56.
58. Limitation of Actions, § 57.
59. General Form of Conviction, § 58.
60. Proceedings not to be quashed for Want of Form. Tender of Amends, § 59.
61. Appeal to Quarter Sessions. Determination to be final. Costs. Appellant not paying the Sum adjudged against him to be committed. Costs to Appellant making good his Appeal, § 60.
62. Commencement and Duration of this Act, and Repeal of 47 *G.* 3. *Sess.* 2. *c.* 54. and 11 *G.* 4. & 1 *W.* 4. *c.* 44.—§ 61.
63. Interpretation of Act, § 62.
64. An Abstract of this Act to be prepared and published, § 63.
65. Schedules.

Baronies, See Dublin (County).

Bishops.

1. To relieve Bishops succeeding to Bishoprics by Operation of the Act to alter and amend the Laws relating to the Temporalities of the Church in *Ireland* from certain Liabilities, 6 & 7 *Vict. c.* 57.
2. Present Bishop of the United Sees of *Kilmore*, *Elphin*, and *Ardagh* shall pay the Charge on *Kilmore*, § 1.
3. Ecclesiastical Commissioners shall pay the Interest on the Charge during the Incumbency of the present Bishop, § 2.
4. The Bishop or his Representatives shall recover the Principal of the Charge from his next or subsequent Successor, § 3.
5. No Bishop succeeding to any Bishopric united by the Operation of the said Act shall be taken to be a Successor therein so as to make him liable to the Tax on Spiritual Persons succeeding to Ecclesiastical Dignities or Preferments under recited Act, § 4.

Chairman of Sessions, See Dublin (County), 5.

Charitable Pawn Offices.

1. To remove Doubts touching the Law relating to Charitable Pawn or Deposit Offices in *Ireland*, 5 & 6 *Vict. c.* 75.
2. Managers, &c. of Charitable Pawn Societies exempted from Penalties for acting as unqualified Persons, provided the Societies are entitled to the Benefit of 6 & 7 *W.* 4. *c.* 55., and a Licence be taken in the Name of a Manager or Clerk, § 1.
3. Licence to enure for Six Months after the Death of the Clerk, or his ceasing to be employed, but his Sureties to remain liable, § 2.
4. Bonds, &c. of Managers, Servants, and Agents shall remain in force for Six Months after their Deaths or ceasing to act, § 3.
5. Nothing herein to exempt the Managers of Pawn Societies or other Persons from any Penalty for Malpractices, § 4.
6. Not only the Party licensed but the Property of the Institutions to be liable for Penalties for Malpractices. Act not to vest Property in the Person licensed, except to render it liable for Penalties, § 5.
7. Public Act, § 6.

Civil Bill Decrees.

1. To amend and explain so much of Two Acts, of the Sixth and Seventh Years of His late Majesty, and of the First Year of Her present Majesty, as relates to the Execution of Civil Bill Decrees for the Possession of Land in *Ireland*, 5 & 6 *Vict. c.* 33.
2. Sheriffs in *Ireland* may appoint Deputies for the Execution of Civil Bill Decrees for delivering Possession of Lands, § 1.
3. Sheriffs indemnified from Penalties for having allowed Decrees to be irregularly executed, and for Non-execution, &c.; and said Executions declared valid, § 2.
4. Sheriffs may plead General Issue, &c., § 3.
5. Recited Acts to remain in force, § 4.

Corporations, See Municipal Corporations.

Courts.

1. For consolidating the Four Courts Marshalsea, *Dublin*, Sheriffs Prison, *Dublin*, and City Marshalsea, *Dublin*, and for regulating the Four Courts Marshalsea in *Ireland*, 5 & 6 *Vict. c.* 95.
2. Four Courts Marshalsea to be the only Prison for the Confinement of Debtors, &c. City Marshalsea to be continued for a certain Time, § 1.
3. Prisoners to be removed by Warrant of the Lord Lieutenant, § 2.
4. Abolition of Offices of Sheriffs and City Marshalsea Prisons, § 3.
5. Grand Jury not to make Presentments for Sheriffs Prison, § 4.
6. Or City Marshalsea, § 5.
7. Compensation to Officers, § 6.
8. No Person to receive Gaol Allowance without subscribing Declaration, § 7.
9. Notice of Declaration to be given in the *Dublin Gazette*. Unless detaining Creditors lodge a Petition within Twenty-one Days, Prisoner to be entitled to his Discharge, § 8.
10. Saving the Authority of the Court of Queen's Bench, § 9.

Crimes, See Punishment of Death.

Death (Punishment of), See Punishment of Death.

Drainage.

1. To promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in *Ireland*, 5 & 6 *Vict. c.* 89.
2. Commissioners of Public Works to be Commissioners under this Act, § 1.
3. Two additional Commissioners may be appointed, § 2.
4. How Persons interested in Lands liable to be flooded may proceed, § 3.
5. Also Persons interested in any River near to any such Land, § 4.
6. Grand Jury may present Memorial when a Navigation may be affected or improved, § 5.
7. Where a Memorial is presented the Commissioners may require a Deposit for defraying preliminary Expences, § 6.
8. Grand Jury may direct the Treasurer of the County to deposit the Sum required to be deposited with the Commissioners, § 7.
9. Commissioners may appoint a Person to inspect any Land or River, and to report thereon, § 8.
10. Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry, § 9.
11. If Commissioners think it inexpedient to execute the Works, they are to decide accordingly, § 10.
12. If the Commissioners approve of the Works proposed, they shall cause Copies of the Report to be deposited for public Inspection, § 11.
13. Commissioners may cause Surveys, &c. to be made, § 12.
14. Publication of a Notice that Maps, &c. have been deposited, § 13.
15. Grand Jury may appoint a Committee, § 14.
16. Committee of Grand Jury empowered to attend Meeting, and to object to the proposed Works, § 15.
17. Meeting of the Persons interested to be called by public Notice, § 16.

18. Proceedings at Meetings, § 17.
19. Power to Commissioners to adjourn Meetings, § 18.
20. Presentment Session and Grand Jury may approve of Works, and undertake to pay the Costs thereof, § 19.
21. If Presentment Session and Grand Jury decline, any Person may guarantee Payment, § 20.
22. No Drainage Works to be commenced unless Two Thirds of Proprietors assent, § 21.
23. No Work for the Improvement of a River to be commenced till Declaration made, nor unless Two Thirds of the Proprietors of adjacent Lands to be drained assent, § 22.
24. Who shall be deemed Proprietors, § 23.
25. Persons entitled to certain Interests upon giving Security to be deemed Proprietors, § 24.
26. Trustees, &c. may apply to Court of Chancery for Leave to assent, § 25.
27. Joint Tenants to be accounted as One Person, § 26.
28. As to Concurrence of Lessee holding for a Life or Lives, &c., § 27.
29. Assents may be given by Persons authorized, § 28.
30. Where the Weir, Dam, &c. of a Mill or Factory causes occasional flooding, the Commissioners shall have Power to construct Works for the Discharge of the surplus Water, &c., § 29.
31. Where the Weir, Dam, &c. of a Mill or Factory by flooding causes Injury, &c. all necessary Alterations may be made therein, if the Water Power be not lessened thereby, § 30.
32. Where the Weir, Dam, &c. of any Mill or Factory causes Injury, &c. the same may be taken by the Commissioners at a Valuation, § 31.
33. Before Mill or Factory interfered with, Declaration shall contain necessary Statements, § 32.
34. Commissioners shall make Declaration, stating the Names of assenting Proprietors, &c. Declaration to be printed, published, and deposited for public Inspection, &c., § 33.
35. Notice to be given of the Places where Copies of the Declaration shall be deposited, § 34.
36. General Appeal to Assistant Barrister, § 35.
37. Proceedings before Assistant Barrister, § 36.
38. Commissioners to give a final Notice that all the Requisites of the Act have been complied with, § 37.
39. Publication of such Notice to be conclusive, § 38.
40. As to Expences of preliminary Proceedings, § 39.
41. After Publication of final Notice Commissioners may commence the Works, § 40.
42. Commissioners to appoint Officers. All Officers to account, § 41.
43. Reservoirs and Embankments to be made, § 42.
44. Power to divert surplus Waters of Rivers, &c. adjoining Reservoirs, § 43.
45. Where Reservoirs or Embankments may be made for maintaining constant Supply of Water to Mills or Factories Commissioners may take same, &c., § 44.
46. In Cases of Reservoirs, &c., who shall be deemed Proprietors of Mills or Factories, § 45.
47. Weirs may be altered or removed, making Compensation to the Owners thereof, § 46.
48. Power to remove or alter Mills, Dams, &c. where necessary for Navigation, § 47.
49. Power to Commissioners, in case the Mill Power be improved with Owner's Consent, to rate the Mill Owner towards the Expences of the Works, § 48.
50. Improvements made in Dams to Mills, &c. shall be set off against Loss by temporary Stoppage, § 49.
51. Commissioners may appoint Persons to open Floodgates' &c., § 50.
52. Owners or Occupiers not to be exonerated from making Repairs, § 51.
53. Remedy by summary Application to the Court of Chancery or Exchequer in the event of Commissioners failing to secure the due Amount of Water Power to the Owner of Mill or Factory, § 52.
54. Power to execute the Works, § 53.
55. Commissioners may enter Lands, and dig for Materials, on making Compensation, § 54.
56. Commissioners to fill up Holes and Pits not found useful, and fence off those that may be useful, § 55.
57. Power to Commissioners to make Drains through Land not proposed to be drained, Compensation being made for Damage done, § 56.
58. Commissioners authorized to enforce the cleansing of Drains, &c., § 57.
59. Any Party whose Lands may be injured by the Neglect to maintain the Banks or scour the Channels of existing Drains, &c. may require the Proprietors so neglecting to join in an effectual cleansing and maintaining thereof. Mode of Proceeding in case of Refusal, § 58.
60. If Cuts be made which shall injure Roads or Bridges, the Commissioners to make other Roadways and Bridges, § 59.
61. Where existing Bridges, Culverts, or Archways are insufficient for the Discharge of Water under a public or County Road, same may be re-constructed by the Commissioners, § 60.
62. Commissioners to provide in Dams and Weirs for the Migration of Salmon, Trout, and Eels, § 61.
63. Works not to injure any ornamental Water, nor the Supply of Water to Towns, § 62.
64. Nor to encroach upon Parks, &c., § 63.
65. When Lands cut through shall be less than an Acre in Quantity or less than Fifteen Yards wide, Commissioners to purchase the whole, if required, § 64.
66. Commissioners may purchase Land for the Purposes of the Act, § 65.
67. Notices to be given to Proprietors of Land required for or likely to be affected by the proposed Works, requiring them to furnish to Commissioners their Claims, § 66.
68. Corporations, Trustees, and other Persons empowered to sell and convey, &c., § 67.
69. Form of Conveyance, § 68.
70. Satisfaction to be made, and may be accepted, § 69.
71. Commissioners empowered to assess the Value, § 70.
72. Any Person dissatisfied with the Adjudication of the Commissioners may appeal to the Assistant Barrister at Quarter Session, § 71.
73. Jurors to be summoned, and may be challenged, § 72.
74. Judgments of Assistant Barristers to be binding on all Parties, § 73.
75. Juryman refusing to be sworn or give Verdict to forfeit a Sum not exceeding 40*s.*, § 74.
76. Awards, Verdicts, and Judgments to be recorded, § 75.
77. Application of Compensation Money when amounting to or exceeding 200*l.*, § 76.
78. When less than 200*l.* and amounting to or exceeding 20*l.*, § 77.
79. When less than 20*l.*, § 78.
80. The Court may order reasonable Expences of Purchases to be paid by the Commissioners, § 79.
81. Premises to vest in the Commissioners upon Payment into Bank of the Money agreed upon or assessed, when Conveyances cannot be obtained, § 80.

82. In

82. In case of questionable Title of Persons in Possession, § 81.
83. Estate of Mortgagees to vest in Commissioners on Payment of Principal and Interest; or if such Principal and Interest exceed the Value of the Property, then on Payment of the Value, § 82.
84. Lien shall remain on Premises not conveyed in Proportions, § 83.
85. Power to enter and take possession of Land, &c. on Payment or Tender of Purchase Money, § 84.
86. Commissioners may forego the taking of any Land on serving a Notice, within Six Months from the Time of Contract or Adjudication, that the same will not be required. Proviso, § 85.
87. If the Commissioners make any new Site for a Mill or Factory the same shall vest in them for the Purposes of this Act, § 86.
88. Commissioners to sell Lands and Mills, making first Offers to the Proprietors of the Estate, § 87.
89. Application of Monies received by Commissioners, § 88.
90. Power to Commissioners to take Tolls, § 89.
91. Limitation of Tolls, § 90.
92. Tolls may be raised or lowered, § 91.
93. If Disputes should arise about the Amount of Tolls the Collectors may weigh the Goods, § 92.
94. Lock-keepers to attend Locks. Penalty, § 93.
95. A List of the Rates, Tolls, &c. to be affixed in conspicuous Places, § 94.
96. Enforcing the Payment of Rates and Tolls, § 95.
97. Leasing Rates and Tolls, § 96.
98. Power of Re-entry in case of Nonperformance of Conditions of Lease, § 97.
99. How the Income derived from Navigation shall be applied, § 98.
100. Commissioners may borrow Money for the Purposes of this Act, § 99.
101. Commissioners to grant Certificates to Lenders for Principal and Interest. Form of Certificate, § 100.
102. Loans may be transferred. Form of Transfer, § 101.
103. Power to borrow Money at a lower Rate of Interest, § 102.
104. Money may be borrowed for the Purposes of this Act from Public Loan Commissioners or from Commissioners of Public Works, § 103.
105. Accounts to be kept, § 104.
106. Commissioners to account yearly, § 105.
107. Commissioners to make an Award upon Completion of any of the Works, § 106.
108. A Draft of the Award to be printed and published, and a Copy deposited with the Clerk of the Peace. Notice thereof to be posted at the usual Places, and inserted in Newspapers, requiring Persons objecting thereto to send in their Objections, § 107.
109. Commissioners to hear and decide Objections (if any) to Award, § 108.
110. Award, when finally settled, to be deposited in the Court of Chancery, § 109.
111. Apportioned Expences to be charged on Lands, § 110.
112. In case of Nonpayment of Money so charged, Commissioners may enter into Receipt of the Rents, and mortgage the Land, § 111.
113. As to Expences of Improvement of a River when payable by Grand Jury, § 112.
114. Where payable by an Individual, § 113.
115. Application of surplus Income of Tolls, § 114.
116. Proprietors of less than Fee Simple may charge the Expences on the Lands, § 115.
117. Power of leasing Lands improved, § 116.
118. Commissioners to determine Amount of increased Rent to be paid for Land improved, § 117.
119. Tenants paying Monies on account of Landlord to deduct them from Rent, § 118.
120. In certain Cases the Commissioners to have the Care of the Works, § 119.
121. Mode of appointing Trustees, § 120.
122. Commissioners or Trustees to hold annual Meetings, and fix Amount to be raised for Maintenance and Repairs for the ensuing Year, § 121.
123. Commissioners to settle Differences, § 122.
124. Commissioners may have an Assessor, § 123.
125. Persons summoned by Commissioners, and refusing to give Evidence, to be punished, § 124.
126. Power to assess Costs, § 125.
127. Allowing Parties to try their Rights by an Issue at Law. If no Action, the Commissioners Determination to be final. Death of Parties not to stop Proceedings at Law. Suits not to delay the Drainage, § 126.
128. Death of Parties not to suspend the Execution of this Act, § 127.
129. How Actions may be brought after the Death of Parties, § 128.
130. Accounts to be laid before Parliament, § 129.
131. Commissioners to make Bye Laws, § 130.
132. Copy of Bye Laws to be Evidence, § 131.
133. Penalty for opening Cloughs, and letting off the Water, § 132.
134. Persons destroying Works guilty of Felony, § 133.
135. Penalty on Persons depositing Gravel, &c. so as to obstruct the Navigation or free Passage of the Water in the Rivers, &c. improved under this Act, § 134.
136. Penalty on Persons assaulting Commissioners and others engaged on the Works, § 135.
137. Proceedings by Summons for the Recovery of Penalties, § 136.
138. Form of Conviction, § 137.
139. Recovery and Application of Penalties, § 138.
140. Proceedings not to be quashed for Want of Form, § 139.
141. No Action to be brought against Person acting in execution of this Act, until after Notice, &c., § 140.
142. No Action to be brought after Tender of sufficient Amends, &c., § 141.
143. General Issue, § 142.
144. Appeal to Quarter Sessions where Parties think themselves aggrieved, § 143.
145. Commissioners not liable for Damage arising to Lands, &c. from Insufficiency of Embankments, &c., unless Notice previously given, § 144.
146. Persons injured by Insufficiency of Bridges may memorialize the Lord Lieutenant, § 145.
147. The Lord Lieutenant may direct the Commissioners of Public Works to examine and report upon the Subject of the Memorial, § 146.
148. The Grand Jury of one County having presented, the Grand Jury of the other County to do so for a similar Amount, § 147.
149. In case the Grand Jury shall neglect to present, the Court may order that the Person presenting the Memorial shall be at liberty to alter or rebuild, § 148.
150. Under whose Direction Alterations are to be made, § 149.
151. Persons may traverse Presentments, § 150.
152. In case Grand Jury neglect to present the Court may make an Order, § 151.

153. Penalty

153. Penalty for wilfully causing Obstructions in Streams or Rivers, § 152.
154. Not to affect the Powers of the *Shannon* Commissioners, § 153.
155. Saving the Rights of the *Irish* Society under 1 & 2 *Vict.* c. lxxxvii.—§ 154.
156. Saving Canals, § 155.
157. This Act not to repeal or alter the Act 1 & 2 *W.* 4. *c.* 57. *s.* 13.—§ 156.
158. Provision for Taxation of Costs, § 157.
159. Provision for Districts where there are no Petty Sessions, § 158.
160. Definition of Terms in this Act, § 159.
161. Piers not to be constructed without Leave of the Admiralty, § 160.
162. Saving Property of the Ordnance, § 161.
163. Schedule.

Dublin.

1. To extend the Provisions of an Act of the Fourth Year of Her present Majesty, for enabling the Commissioners of Wide Streets to sell, and Her Majesty to purchase, certain Hereditaments in the City of *Dublin* on the North Bank of the River *Anna Liffey*, 5 & 6 *Vict.* *c.* 62.
2. Commissioners of the Treasury empowered to raise 43,000*l.* by Sale of Bank Annuities in *Ireland*, and to pay the same to the Commissioners of Woods, &c., § 1.
3. Application of such Money, § 2.
4. Powers of Wide Street Commissioners vested in the Commissioners of Woods, so far as regards the Purposes of this Act, § 3.
5. Improvements to be made with the Consent of the Lord Lieutenant of *Ireland*, § 4.
6. Monies to be placed in the Bank of *Ireland*, and paid by Drafts on the said Bank, § 5.

Dublin (County).

1. To alter the Number and define the Boundaries of the several Baronies of the County of *Dublin*, 5 & 6 *Vict.* *c.* 96.
2. County of *Dublin* to be divided into Nine Baronies for all the Purposes of the Ordnance Survey and Valuation consequent thereupon, § 1.
3. This Act not to alter the existing Boundaries for any other Purpose, § 2.
4. Schedule.
5. To make better Provision for the Appointment of a Deputy for the Chairman of the Sessions of the Peace in the County of *Dublin*, and to provide for the taking of an Oath by the said Chairman or Deputy; and to amend an Act of the First Year of Her present Majesty, to amend the Law for the Recovery of Small Debts by Civil Bill in *Ireland*, 6 & 7 *Vict.* *c.* 81.
6. So much of recited Act as empowers the Chairman to appoint a Deputy repealed, § 1.
7. When it appears to Lord Chancellor, upon Oath, that the Chairman is unable to attend, he may appoint a Barrister of Six Years standing to do his Duty, who shall take the Oath herein-after required, and be invested with all the Powers of such Chairman during his Absence, § 2.
8. The Deputy to be paid such Compensation as the Lord Chancellor shall think fit out of Salary, &c. of Chairman, § 3.
9. When the Illness of a Chairman happens suddenly, Two Justices may open and adjourn the Court until the Chancellor can appoint a Deputy, § 4.
10. Chairman of Sessions to take an Oath before acting. Form of Oath, § 5.
11. Nothing herein contained to repeal 2 & 3 *W.* 4. *c.* 88. *s.* 68.—§ 6.
12. Provisions of 7 *G.* 4. *c.* 36. and 7 *W.* 4. & 1 *Vict.* *c.* 43. to extend to the East Riding of the County of *Cork*, § 7.

Dublin Police, See Police.

Exchequer (Court of).

1. For the Amendment of the Proceedings and Practice of the Equity Side of the Court of Exchequer in *Ireland*, 6 & 7 *Vict.* *c.* 55.
2. If a Defendant has been served with Process, and neglects to appear after Eight Days, an Appearance may be entered, and Proceedings had, § 1.
3. Decrees and Orders of the Court, § 2.
4. Sales or Mortgages under Decrees or Orders of the Court, § 3.
5. Service of an attested Copy of a Decree to be sufficient to warrant Attachment, § 4.
6. If any Person neglects to execute any Deed or Transfer the Court may order the Chief or Second Remembrancer to execute same, § 5.
7. Depositions. General Orders. General Orders may be varied, § 6.
8. Hours of Business in the several Offices, § 7.
9. Duties of Assistant Registrar, &c., § 8.
10. Part of the Suitors Fund to be set apart as a Compensation Fund, § 9.
11. Produce of the Fund to be placed to the Account of the Accountant General in the Bank of *Ireland*, § 10.
12. Court may direct the same to be called in, § 11.
13. Surplus of Interest to be invested in Government Securities, § 12.
14. Officers to make Returns of Profits of their Office for Seven Years, § 13.
15. Officers may make an annual Return to the Court of Profits of Office. In case of Deficiency, the Court may certify it to the Treasury. If Fund not sufficient, the Remainder to be paid out of the Consolidated Fund, § 14.
16. For repaying Advances out of Consolidated Fund, § 15.
17. Officers swearing falsely to be guilty of Perjury, § 16.
18. If Officer dies or resigns during the Year, his Executors to make Returns, § 17.
19. Court may refer Accounts of Officers to Chief Remembrancer, § 18.
20. Act not to prevent Dismissal of Officers, § 19.
21. Officers hereafter appointed not to be entitled to Compensation, § 20.
22. Recited Acts exempted from Operation of this Act, § 21.
23. Commencement of Act, § 22.
24. For the further Regulation of the Offices of Chief and Second Remembrancer of the Court of Exchequer in *Ireland*, 6 & 7 *Vict.* *c.* 78.
25. Salary of future Chief Remembrancer fixed at 2,000*l.* *per Annum*, § 1.
26. Salary of the Second Remembrancer to be reduced, on the Vacancy of that Office, to 1,000*l.*, § 2.
27. From Date of Appointment of any future Chief Remembrancer 500*l.* shall be paid annually into the Consolidated Fund, out of the Produce of Fines and Penalties in *Ireland*, and from the Appointment of any future Second Remembrancer a like Sum out of the Counties Fee Fund Account, § 3.
28. The Duty of auditing the Accounts of Treasurers of Counties

Counties in *Ireland* declared to be annexed to the Office of the Chief Remembrancer, § 4.
29. Distribution of the Business between the Chief and Second Remembrancer, § 5.
30. The Superannuation Allowances of the Chief Remembrancer reduced, § 6.

Fines.

1. For the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in *Ireland*, and for the Appropriation thereof, 6 & 7 *Vict. c.* 56.
2. 1 & 2 *Vict. c.* 99. and certain Parts of 2 & 3 *Vict. cc.* 75. and 78. repealed, § 1.
3. Entries of all Fines, &c. to be made by Officers of Courts and others in a Book to be kept for the Purpose. Fines imposed out of Petty Sessions shall be entered by Clerk of Petty Sessions, § 2.
4. List of Entries and Warrants to be sent within One Month to County Inspector of the Constabulary Force, or, in *Dublin*, to Metropolitan Commissioners, § 3.
5. Lists to be certified, § 4.
6. When Imprisonment is directed in default of Payment the Warrant shall direct accordingly, § 5.
7. Proviso for Cases where Justices may issue their Warrant immediately, § 6.
8. Warrants to be executed till the whole be levied, and a Return of all Lists, &c. to be made to Chief Remembrancer, § 7.
9. If Appeal made, Warrants may be suspended until after final Decision, § 8.
10. Warrant to be suspended on Parties entering into Security that Application for Reduction of Fine will be made, § 9.
11. Application for Reduction of Fine, &c. may be made to Court or to Quarter Sessions, and there heard. Order of Court thereupon to be delivered to County Inspector, &c., § 10.
12. No Appeal to be hereby given where not allowed by the Law under which the Fine, &c. is imposed; nor the Lord Lieutenant or Commissioners of Excise, &c. restrained from reducing a Fine, § 11.
13. Where Persons are out of Jurisdiction of the County Inspector or Commissioner, Warrants in aid to issue to the Inspectors of any other County or to Commissioners of Police within whose Jurisdiction the Parties may be, § 12.
14. Money received by Persons authorized to levy or receive to be certified and paid to Inspectors, &c. within One Month, § 13.
15. Inspectors, &c. to pay Amount due to Informers, &c. as *per* Schedule, § 14.
16. Inspector, &c. on Fifth of the Month to pay over Amount received or levied, together with a Statement, to the Paymaster, § 15.
17. Paymaster to keep separate Accounts; to pay Amounts due to Constabulary Reward Fund, and Residue into Bank to the Credit of Receiver of the Force, § 16.
18. Paymaster to make out and transmit half-yearly Accounts to Secretary of Grand Jury, § 17.
19. Commissioners of Police and Divisional Justices of *Dublin* District to pay to Credit of Receiver of that Force, § 18.
20. Paymaster and Commissioners to furnish the Chief Remembrancer with Account of Monies received or paid by them, § 19.
21. Receivers to furnish Accounts of Monies lodged to their Credit, § 20.
22. Chief Remembrancer to audit Accounts in like Manner as Sheriffs Accounts are audited by 5 & 6 *W.* 4. *c.* 55. § 21.
23. Chief Remembrancer to issue Warrant to Inspectors, &c. for Recovery of Fines and Balances, who shall make Return thereto. Payment of Sums levied. No Process to issue to Sheriff, § 22.
24. Sub-Inspectors and Constables to transmit a Report monthly to County Inspectors and Commissioners, § 23.
25. Officers and others engaged in the Execution of this Act to furnish to the Chief Remembrancer Returns of Sums received or levied by them, § 24.
26. Enforcement of Money overheld, § 25.
27. Penalty for Neglect, or making false Returns or Entries, § 26.
28. In case of Illness, &c. of County Inspector or Commissioner, his Deputy or Successor to act, § 27.
29. Sub-Inspector, &c. authorized to sell without a Licence, § 28.
30. Justices may order 20*s.* Costs on summary Conviction, § 29.
31. Recognizances to keep the Peace to be transmitted to the Clerk of the Peace within Fourteen Days, § 30.
32. On Breach of the Peace, Assistant Barrister, &c., on Proof, may order Levy of Recognizance so forfeited. Proof of Notice to be first given, § 31.
33. Fines upon Jurors to be estreated, and returned to Chief Remembrancer, who shall cause Process to issue for Levy thereof, § 32.
34. Appropriation of Sums paid to the Credit of the Receivers, § 33.
35. Act not to extend to Revenue Fines, § 34.
36. Schedules to be taken as Part of the Act, with Power to Lord Lieutenant to alter, § 35.
37. One Commissioner of *Dublin* Metropolis may act, § 36.
38. Receipts not to be subject to Stamps, § 37.
39. Interpretation of Act, § 38.
40. Section 107. of 5 & 6 *Vict. c.* 106. repealed, § 39.
41. Schedules.

Fisheries.

1. To regulate the *Irish* Fisheries, 5 & 6 *Vict. c.* 106.
2. Repeal of Fishery Acts, so far as regards *Ireland*. Recited Acts, and Parts of any other Acts relating to *Irish* Fisheries, repealed. [See *Statutes repealed*, § V.] 6 & 7 *W.* 4. *c.* cxxx. and 7 *W.* 4. & 1 *Vict. c.* lxxxix. not repealed. Proviso as to the Close Season, § 1.
3. The Commissioners of Public Works to be the Commissioners for this Act, § 2.
4. Fishermen, &c. may use waste Shores for the Purposes of fishing, § 3.
5. Or for watching for Fish, § 4.
6. Penalty on Persons resisting or obstructing Fishermen in using such Shores, &c. § 5.
7. Regulations as to Sea Nets, § 6.
8. No Herring or other Nets, save as herein provided, to be shot or left floating in the Daytime, § 7.
9. Penalty on Fishermen not hauling up their Nets, § 8.
10. Penalty on Use of Trawl and Trammel Nets, § 9.
11. Nets shall not be set or Lines laid contrary to the Bye Laws, § 10.
12. Penalty for stealing Oysters or Oyster Brood, § 11.
13. Penalty for unlawfully using Dredges, &c. within Limits of Oyster Fisheries. Not to extend to Persons fishing for floating Fish, § 12.
14. Bait Beds may be made, § 13.

15. Penalty

15. Penalty on Persons discharging Ballast in improper Places, § 14.
16. The Coasts of *Ireland* may be divided into Districts for the Purposes of this Act, § 15.
17. Fishing Vessels on the Coast of *Ireland* to be registered and marked. Penalty for using Vessels not registered, § 16.
18. All Bodies Corporate, &c. empowered to demise Lands for the Purposes of this Act, § 17.
19. Persons possessed of a several Fishery empowered to erect Stake and other fixed Nets for taking Salmon in any Estuary, &c., § 18.
20. Proprietors and Lessees of Lands adjoining Sea Coast empowered to erect fixed Nets where no several Fishery exists. Proviso. Saving of the Right of the Crown and all other Persons to the Use of the Shore, § 19.
21. Size of Meshes of Stake, Bag, or other Sea Net, § 20.
22. No Stake or fixed Net to be so placed as to be injurious or detrimental to Navigation, § 21.
23. Stake and other fixed Nets shall not be placed in the narrow Parts of Estuaries nor in the Mouths of Rivers, or within One Mile thereof, where Breadth of same does not exceed Half a Mile, § 22.
24. Saving for Stake Weirs, &c. established Twenty Years, § 23.
25. Stake Weirs, &c. erected for Ten Years or upwards within the Limits of a several Fishery not to be deemed illegal, § 24.
26. Saving for Head Weirs, § 25.
27. Stake Nets shall not extend further than from High to Low Water Mark. Further Regulations as to Stake, Bag, and other fixed Nets, § 26.
28. Nets for taking Salmon not to be used at the Mouths of narrow Rivers, nor to be stretched across the Mouths or any other Parts of Rivers, § 27.
29. Penalty on Persons assaulting or obstructing any Person fishing in a legal Manner, § 28.
30. From 1st *January* 1844 the Close Season for Salmon to be from 20th of *August* to 12th of *February*, § 29.
31. Close Season for Trout, 1st of *October* to 12th of *February*, § 30.
32. Fixed Nets or Engines for the taking of Eels shall not be set in inland Rivers between 10th of *January* and 1st of *July*, § 31.
33. Close Season for Oysters 1st of *May* to 1st of *September*, § 32.
34. Commissioners empowered to alter the Close Season in any River or District, upon Inquiry had, and Proof that such Alteration is expedient, § 33.
35. Decision of Commissioners as to Close Season shall be published, § 34.
36. Close Season thus determined to continue for Three Years, and until like Proceedings for Alteration shall be again had, § 35.
37. Penalty for any Person catching, taking, having in his Possession, or offering for Sale, Salmon or Trout caught in Close Seasons, § 36.
38. All Machinery, Nets, and Tackling for the taking of Salmon, &c. in Salmon Weirs, or other fixed Engines, shall be wholly removed during Close Seasons. Penalty for Neglect. Proviso, § 37.
39. All Bag, Sole, Fly, or Stake Nets, and other Engines for catching Salmon in the Tideway, shall be removed during Close Season. Penalty, § 38.
40. Saving for Weirs to catch White Sea Fish. § 39.
41. Salmon or Trout not to be taken in any Traps, Nets, or fixed Engines from Six o'Clock on *Saturday* Evening to Six o'Clock on *Monday* Morning. Leaders of Bag Nets, &c. to be removed during that Time. A free Passage of Four Feet wide to be left during that Time through each Crib or Trap for taking Salmon, &c. Penalty, § 40.
42. In all Salmon and other Weirs for the taking of Salmon or other Fish a free Gap or Queen's Share to be left, § 41.
43. Commissioners may require Owners of Weirs in certain Cases to make Gaps therein, and furnish a Claim for Compensation, § 42.
44. Satisfaction may be made, and accepted, § 43.
45. Commissioners empowered to assess the Value in case of Dispute, § 44.
46. Any Person dissatisfied with the Adjudication of the Commissioners may appeal to the Judge at the Assizes, § 45.
47. Judgments to be final, § 46.
48. Awards and Judgments to be recorded, § 47.
49. If Two Thirds of Parties liable to pay the Compensation assent, Award or Judgment shall be binding on Remainder, § 48.
50. If not paid it may be sued for, § 49.
51. Compensation to be paid over, when received, to Parties entitled, § 50.
52. Application of Compensation Money when amounting to or exceeding 200*l.*, § 51.
53. When less than 200*l.* and amounting to or exceeding 20*l.*, § 52.
54. When less than 20*l.*, § 53.
55. Spur and Tail Walls of such Queen's Share not to be more than Twenty Feet long above or below the Walls of Fishing Weirs. Penalty, § 54.
56. Not to extend to Weirs, Banks, or Heads used for sustaining Mills and Navigation, § 55.
57. Saving for Mill Weirs legally used for fishing, § 56.
58. No Obstructions shall be placed in, over, or near the Queen's Share, nor shall any Person fish in or near same, § 57.
59. Regulations as to Cribs, Cruives, or Boxes in fixed Weirs for the taking of Salmon, &c., § 58.
60. Power to enforce the Construction of fixed Weirs in conformity with the Provisions of this Act, § 59.
61. Commissioners not bound to do more than open the Passages required by this Act, and not liable for consequential Damages, § 60.
62. Nothing herein contained to legalize any Weir, nor to empower any Person to erect new Weirs, § 61.
63. Natural Obstructions in Rivers may be altered or removed to allow of free Migration of Fish, provided no Injury done to Mills, Factories, or the Drainage of Lands, § 62.
64. In all Dams or Weirs which shall be hereafter constructed, Means shall be provided for the free Migration of Salmon and other Fish. In existing Dams and Weirs similar Means for Migration of Fish shall be provided, no Injury being done to Navigation or Power of Mills, § 63.
65. Free Passage for Migration of Fish in natural Obstructions or in Dams shall be preserved in like Manner as Queen's Share in other Weirs, § 64.
66. No Person to use Nets for the taking of Salmon in inland Rivers where no several Fishery exists, § 65.
67. Size of Meshes of Nets in inland Rivers and Lakes. Regulations as to such Nets and their Use, § 66.
68. Commissioners empowered to authorize different Form and Size of Mesh in the inland Rivers upon due Inquiry had, § 67.
69. Penalty for using unlawful Nets, § 68.

70. Angling, § 69.
71. Cross Lines prohibited, § 70.
72. Penalty on Persons entering Lands without Permission, § 71.
73. Penalty for taking or using Boats without Permission, § 72.
74. Penalty for having, taking, or attempting to take, Fry and Spawn of Salmon, Trout, or Eels, § 73.
75. Penalty for having, taking, or offering for Sale any unclean or spent Fish, § 74.
76. Penalty for any Person taking or attempting to take Fish, or the Fry of Fish, in Works appurtenant to Mills or Factories, or in Watercourses diverted from Rivers for such Purposes, § 75.
77. A Grating shall be placed in all Watercourses diverted from Rivers to prevent Salmon, Trout, or Fry entering therein, § 76.
78. Penalty for taking Salmon or Trout, or their Fry, in Eel Weirs, § 77.
79. Penalty for attempting to take Salmon, Trout, &c. at Night in inland Rivers, &c., or using Lights, &c. for such Purposes, § 78.
80. Penalty for fishing in private Ponds, § 79.
81. Penalty on Persons throwing or allowing Matters poisonous to Fish to flow into inland Rivers, § 80.
82. The Names of Owners shall be painted on Fishing Boats, § 81.
83. Proprietors of Fisheries in Rivers or on the Coast empowered to appoint Water Bailiffs to protect the Fisheries of the River or Lake in which they shall be interested, § 82.
84. Water Bailiffs, § 83.
85. Powers of Water Bailiffs for the Protection of the Fisheries, § 84.
86. Justice may grant a Warrant to enter suspected Places, § 85.
87. Officers and Men of Her Majesty's Cruisers, and Officers and Men of Coast Guard Service, empowered to enforce Provisions of this Act. Officers and Men of the Coast Guard empowered to act as Constables, § 86.
88. Offenders may be apprehended if they refuse to tell their Names, § 87.
89. Penalty on Persons using Violence, § 88.
90. Commissioners, Inspectors, &c. empowered to enforce Provisions of this Act, § 89.
91. Penalty on opposing or assaulting Commissioners, or Persons authorized by them, in execution of this Act, § 90.
92. Commissioners empowered to make Bye Laws for Protection and Improvement of Fisheries, § 91.
93. Copies of intended Bye Laws to be sent to Clerk of the Peace, &c., and Notice given thereof, § 92.
94. Publication of Bye Laws, § 93.
95. How Offences against this Act may be tried. Penalty to be recovered by Distress and Sale of Offender's Goods. If no Goods or Chattels, the Offender may be imprisoned, § 94.
96. Recovery of Expences, § 95.
97. Jurisdiction of Magistrates of maritime Counties extended to Offences against this Act at Sea, § 96.
98. The Mode in which Penalties are to be levied, § 97.
99. Form of Conviction, § 98.
100. Appeal from Convictions to Quarter Sessions, § 99.
101. Form of Dismissal. Appeal against Dismissal, § 100.
102. Proceedings on Appeal, § 101.
103. The Lord Lieutenant may extend Mercy to convicted Persons, § 102.
104. Illegal Nets shall be brought before Magistrates at Petty Sessions, and destroyed. And legal Nets, when used illegally, shall, upon being forfeited, be sold, § 103.
105. Evidence of Informers and Owners, &c. of Fisheries admissible, § 104.
106. Penalty on Witnesses refusing to give Evidence, § 105.
107. Offences on Boundaries of Rivers may be tried in either County, § 106.
108. Return of Convictions at Petty or Quarter Sessions shall be made to the Commissioners, § 107.
109. Persons punished under this Act not liable under any other Act, § 108.
110. Application of Penalties, § 109.
111. Limitation of Actions, &c. General Issue may be pleaded, § 110.
112. Commissioners empowered to hold General Meetings, summon Witnesses, and examine upon Oath, § 111.
113. Commissioners to report annually. Copy of Report to be laid before Parliament, § 112.
114. Definition of Terms in this Act, § 113.
115. Definition of "several Fishery," § 114.
116. Schedule.

Game Certificates.

1. To transfer the Collection and Management of the Duties on Certificates to kill Game in *Ireland* to the Commissioners of Excise, *5 & 6 Vict. c.* 81.
2. Duties on Game Certificates in *Ireland* to be under the Management of the Commissioners of Excise, § 1.
3. Persons keeping Dogs for killing Game, not Gamekeepers, to take out Certificate, § 2.
4. Gamekeeper to register his Deputation with the Excise Officer, and take out a Certificate, § 3.
5. By what Officers Certificates to be granted, § 4.
6. Penalty on uncertificated Persons keeping Dogs for killing Game, &c., § 5.
7. Commissioners of Excise may publish Lists of certificated Persons, § 6.
8. Provision for Change of Gamekeeper, § 7.
9. Compelling Production of Certificate. Penalty, § 8.
10. So much of the Act *55 G. 3. c.* 100. as relates to Game Certificates repealed, § 9.
11. This Act not to repeal or alter the Provisions of *7 & 8 G. 4. c.* 49.,—§ 10.
12. Schedule.

Grand Jury Presentments.

1. To enable Grand Juries at the ensuing Summer and Spring Assizes to make certain Presentments in Counties of Cities and Towns in *Ireland;* and to remove Doubts as to the Jurisdiction of Justices of the Peace in Places recently annexed to Counties at large in *Ireland, 5 & 6 Vict. c.* 77.
2. Certain Presentments made at the Spring or Summer Assizes in this Year for Counties of Cities or Towns may be levied off such Cities or Towns as defined under the recited Acts. For settling the Sums payable by Places detached from or added to such Cities or Towns, § 1.
3. If the Grand Jury fail to settle the Proportions an Arbitrator may be appointed, § 2.
4. Existing Contracts to be presented for according as they are to be executed in the County of a City or the County at large, § 3.
5. Grand Juries of Counties of Cities and Towns may present as heretofore, but the Levy to be made on the Cities and Towns as defined under the recited Acts, § 4.

6. Where

6. Where Applotters have not been appointed, pursuant to 6 & 7 *W.* 4. *c.* 116., any Ten Owners, &c. liable to Grand Jury Cess, the Attorney General may apply to the Queen's Bench or any Judge thereof for an Order of Appointment. Court or Judge may quash, confirm, or alter Applotments, or direct a new Applotment, § 5.
7. Jurisdiction as to Costs, § 6.
8. Ten Days Notice to be given of Application, § 7.
9. Applotters shall applot within Thirty Days of their Appointment, or within such shorter Period as the Court or Judge shall order, according to the relative Value of the Subdivisions of Land, and shall verify on Oath the Justness of the Applotment, § 8.
10. Applotment to be given to Collector, and Arrears to be levied according to the Proportions in the Applotment, Credit being given for Payments already made, § 9.
11. Applotters may enter Lands for the Purpose of valuing. Penalty for Hindrance, 5*l.*, § 10.
12. Present Applotments to continue in force until a further Applotment be made, § 11.
13. Court or Judge empowered to order Payment to Applotters not exceeding Ten Shillings *per Diem*, § 12.
14. And to enforce Orders, and to call and examine Witnesses, &c., § 13.
15. Grand Jury of *Drogheda* may present for the Payment of certain Sums advanced by the Treasury for that Town, § 14.
16. Grand Juries may present Instalments due to Contractors and others, with Interest thereon, § 15.
17. Instalments leviable under Warrants shall be levied by Presentment, § 16.
18. Arrears of Cess through legal Doubts shall not affect Proceedings under 2 & 3 *W.* 4. *c.* 88. or 3 & 4 *Vict. c.* 108. —§ 17.
19. Justice not to take Money for Affidavits required under this Act. False Swearing punishable as Perjury, § 18.
20. Rate-payers and Occupiers, &c. to be competent Witnesses, § 19.
21. Not to affect 6 & 7 *W.* 4. *c.* 84.—§ 20.
22. Interpretation of Act, § 21.
23. To amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in *Ireland*. 6 & 7 *Vict. c.* 32.
24. Grand Jury Cess in Counties of Cities and Towns shall be applotted off all Lands, &c. therein, without regard to Parochial or other Distinctions or Divisions. Exemptions. Nothing herein to affect the Act 1 & 2 *Vict. c.* 51.—§ 1.
25. The Act 6 & 7 *W.* 4. *c.* 84. not to apply to Counties of Cities or Towns, § 2.
26. Treasurers empowered to refer to Rates made for the Relief of the Poor, § 3.
27. Treasurer to applot according to the last Rate made under Poor Relief Act; and to publish Notice that the Applotment has been made, and is open for Inspection. Penalty for Neglect, § 4.
28. Treasurer to issue his Warrant to Collector of Grand Jury Cess. Collectors to levy such Cess. Provisions of the Act of 6 & 7 *W.* 4. to apply thereto, § 5.
29. Appeal against Applotment, § 6.
30. Recorder or Assistant Barrister may determine the Appeal, and amend the Applotment, or may quash the same, and order a new Applotment, § 7.
31. If Applotment be decreased the Amount overpaid to be returned, § 8.
32. Fourteen Days Notice of Appeal to be given, § 9.
33. Cess to be paid and levied as if no Appeal made, § 10.
34. Recognizance to be entered into on Appeal, § 11.
35. Justices may award Costs in certain Cases, § 12.
36. Treasurer to collect Cess if there be no Collector duly appointed, § 13.
37. The Council of the Borough of *Cork* may order a Part not within the Local Act for lighting, paving, cleansing, and improving the Borough to be included in such Act. Amount of Rate for lighting, how limited. Rate for other Purposes, how limited, § 14.
38. Annual Payment by the Parish of *St. Michael, Limerick*, to cease in consideration of its becoming liable to Grand Jury Cess, § 15.
39. Grand Juries may present for Arrears payable, with Interest, by Instalments, § 16.
40. Treasurer to insert Sums presented in his Warrant, § 16.
41. Warrants for Sums re-presented as Arrears to be stayed, § 17.
42. Security to Persons willing to advance Money to Treasurer, § 18.
43. Debts due to the Exchequer shall have Priority over other Claims on County Rates in *Dublin*, § 19.
44. Penalty on Treasurer withholding Monies due to the Exchequer, § 20.
45. Debt due to the Exchequer by the City of *Cork* how to be repaid, § 21.
46. Presentment made at last Spring Assizes in *Drogheda* for Debt due to the Exchequer quashed, § 22.
47. Debts due to the Exchequer by *Drogheda*, how to be repaid, § 23.
48. Grand Jury of the Town to present for Amount of Annuity to be raised, § 24.
49. Debt due by old Part of County of *Drogheda*, how to be settled, § 25.
50. Interpretation of Act, § 26.
51. To amend an Act of the Nineteenth and Twentieth Years of King *George* the Third, for empowering Grand Juries in *Ireland* to present Bridges, and Tolls to be paid for passing the same, in certain Cases, 6 & 7 *Vict. c.* 42.
52. Power to purchase the Tolls of Bridges, and open them to the Public free. Proviso, § 1.
53. Extent of Act, § 2.
54. To make further Provision in respect of Grand Jury Presentments in Counties of Cities and Counties of Towns in *Ireland*, 6 & 7 *Vict. c.* 71.
55. If certain Presentments in the present Year include Sums for Debts incurred previous to the Operation of the first-recited Act, the Proportions to which detached Portions of Counties, &c. shall be liable shall be settled by Barristers appointed by the Lord Lieutenant, § 1.
56. Sums uncollected under former Levy to be added to Presentments of Instalments of Arrears, § 2.
57. Presentments hereafter made to include Sums collected under any former Warrant, § 3.
58. Recited Acts and this Act to be construed as one Act, § 4.

Justices of the Peace.

1. To empower Justices of the Peace in *Ireland* to act in certain Cases relating to Rates to which they are chargeable, 6 & 7 *Vict. c.* 8.
2. Justices of the Peace empowered to act in Cases relating to Grand Jury and Poor Law Rates and other Rates, although liable to such Rates, § 1.
3. Former Acts of Justices not to be declared void, § 2.

See Grand Jury Presentments.

Limitation of Actions and Suits, See Real Property.

Limerick (County of).

1. For the Completion of a Parochial Church in the Parish of *Saint Michael* in the City of *Limerick*, and for securing the Nomination of a Perpetual Curate thereto, 6 & 7 *Vict. c.* 88.
2. *Saint Michael's* Parish to be a distinct Parish, and the new Church to be the Parish Church thereof, &c., § 1.
3. All Grants and Endowments heretofore made by Lord *Pery* or Lord *Limerick* to be continued in Perpetuity for the Use of the Perpetual Curate, § 2.
4. Earl of *Limerick* to be Patron, and Reverend *Pryce Peacock* first Perpetual Curate of *St. Michael's* Church, § 3.
5. Perpetual Curacy of *Saint Michael* subject to Provisions of 6 & 7 *W.* 4. *c.* 31.—§ 4.
6. Free Sittings, to the Extent of One Fourth, to be reserved, § 5.
7. Recovery of Pew Rents, § 6.
8. No Interments, § 7.
9. Ecclesiastical Commissioners may make Payments for completing *Saint Michael's* Church, § 8.
10. Ecclesiastical Commissioners may grant Lands, &c. as an additional Endowment, &c. of *Saint Michael's* Church, § 9.
11. Public Act, § 10.

Loan Societies.

1. To consolidate and amend the Laws for the Regulation of Charitable Loan Societies in *Ireland*, 6 & 7 *Vict. c.* 91.
2. Recited Acts repealed, save as herein-after provided, § 1.
3. Loan Fund Board established for the Superintendence of all Loan Societies and Charitable Pawn Offices in *Ireland*. Constitution of the Board. Quorum, § 2.
4. Lord Lieutenant may remove Members from Board; may appoint and remove Secretary, &c., § 3.
5. The said Board empowered to superintend all Loan Societies, &c. in *Ireland*, § 4.
6. Funds appropriated to the Use of the Loan Fund Board to be paid into the Bank of *Ireland* to the Credit of Loan Fund Board, § 5.
7. No Part of the Funds to be paid out, except upon Drafts signed by Three Members of the Board, &c., § 6.
8. Board to transmit an annual Report to Parliament, § 7.
9. Board to sue and be sued in the Name of their Secretary, § 8.
10. Loan Societies and Charitable Pawn Offices may be established, subject to the Regulations provided by this Act. Such Societies empowered to make Rules, &c. subject to the Restrictions herein-after mentioned, § 9.
11. Three Transcripts of the Rules to be transmitted to the Loan Fund Board, and, if approved, to be submitted to the Barrister appointed to ascertain their Conformity to Law, &c., § 10.
12. Rules, if disapproved by Loan Fund Board, to be void; but Appeal may be made to Lord Lieutenant and Council, § 11.
13. Barrister to certify if Rules are in conformity to Law, or state in what Parts they are repugnant thereto. Fee payable to Barrister not to exceed One Guinea. Barrister not entitled to further Fee within Three Years in respect of Alterations in the same Rules, § 12.
14. When Rules are certified by the Barrister the Secretary to annex to each Transcript a Certificate of Approval. Disposal of such Transcripts, § 13.
15. Rules when so certified to be in force from the Receipt thereof, § 14.
16. Form of Certificate. Certified Rules proved by Production of the Transcript, with Certificate annexed, § 15.
17. Loan Societies may appoint Officers and Servants, § 16.
18. Societies to ascertain the Amount of the Salaries payable to their Servants, and to limit their Expences. Loan Fund Board may reduce prospectively the Amount of the Salaries and other Expences of such Societies, § 17.
19. Property of Loan Societies vested in the Trustees for the Time being, § 18.
20. On Failure of Trustees of a Society, and in default of Appointment of new Trustees, the Property to vest in the Secretary of Loan Fund Board, in Trust to pay all Debts, &c., § 19.
21. No Manager or Trustee to receive Remuneration, § 20.
22. Treasurer and other Officers of Loan Societies to give Security as directed by Loan Fund Board, § 21.
23. Loan Fund Board may sue upon existing Securities in the Name of the Clerk of the Peace, § 22.
24. Officers of a Loan Society refusing to account either with the Society or with Loan Fund Board, and pay over Money in their Hands, subject to a Penalty, § 23.
25. Amount of Loan not to exceed 10*l.*, § 24.
26. Note for securing Repayment of Loan shall be in Form given in Schedule to this Act, and shall be supplied by Loan Fund Board, § 25.
27. No Loan Fund Note or Bond or Security chargeable with Stamp Duty, § 26.
28. Rate of Interest payable on Loans, § 27.
29. Loan Fund Board may authorize any Loan Society to advance any Portion of their Funds, § 28.
30. Trustees to receive Interest on Loans for a limited Time, § 29.
31. Notes to be made payable to Treasurer or Secretary for the Time being. Recovery of Loan before Justices of Peace, § 30.
32. Summons for Recovery of Loan may be in Form in Schedule, &c. Warrant for Recovery of Loan may be in Form given in Schedule, § 31.
33. Goods seized under Levy Warrant may be sold by Bailiff without a licensed Auctioneer, § 32.
34. Treasurer of any Loan Society may sue on Securities granted to his Predecessor, § 33.
35. Notes of a Loan Society, attested by a Clerk, may on his Dismissal be proved by Evidence of his Handwriting, in like Manner as upon his Death, § 34.
36. Loan Societies may issue Debentures transferrable by Endorsement in Presence of Two Witnesses, and registered in Books of Society, § 35.
37. Trustees, &c. signing the Debentures not personally liable, unless by express Agreement, § 36.
38. Sums under 50*l.* deposited in any Loan Society payable without Administration to the next of Kin of deceased Debenture Holder, § 37.
39. Business of a Loan Society not to be transacted at a Public House, &c., § 38.
40. Accounts of Loan Societies to be kept in manner directed by Loan Fund Board; and all their Books, &c. to be produced for Inspection to Officer of Loan Fund Board, upon Demand, under a Penalty of 5*l.*, § 39.
41. Abstract of Accounts to be made out yearly, and sent to Loan Fund Board, § 40.
42. Loan Society intending to dissolve itself shall give Three Months Notice of their Intention to Loan Fund Board, § 41.
43. Trustees, &c. of the Loan Society intending to resign their Trusts to give Three Months Notice of such Intention to Loan Fund Board, § 42.
44. No Clerk or Servant of a Loan Society to receive any

Present from a Borrower or Surety, under a Penalty of 20*l.*, § 43.

45. Profits of Loan Societies may be applied to such charitable Purposes as said Societies, with Approbation of Loan Fund Board, shall appoint, § 44.
46. Loan Societies violating their Rules, or the Provisions of this Act, may be dissolved by Order of Loan Fund Board, subject to Appeal to Lord Lieutenant in Council, § 45.
47. Forms of Debentures to be printed, and Paper to be marked, § 46.
48. *Irish* Reproductive Loan Fund Institution to be exempt from the Control of the Loan Fund Board, § 47.
49. Societies in connexion with the *Irish* Reproductive Loan Fund Institution to have all the Benefits of this Act, on giving Notice to the Loan Fund Board, § 48.
50. Certificate to be Evidence of Connexion with *Irish* Reproductive Loan Fund Institution, § 49.
51. Restricting Powers of said Institution and its Connexions as to borrowing or lending under this Act, § 50.
52. Societies in connexion with the Institution not entitled to Benefit of this Act in certain Cases. On Discontinuance of Connexion, the Institution to give Notice to the Loan Fund Board in *Dublin*, § 51.
53. *Irish* Reproductive Loan Fund Institution to report yearly to Parliament, § 52.
54. Societies not certified under this Act, &c. their Members and Officers prohibited from acting, under a Penalty of 20*l.*, § 53.
55. Monts de Piété to be deemed Loan Societies within this Act, and to cause their Rules to be certified, and entitled to Benefits of 5 & 6 *Vict. c.* 75.—§ 54.
56. Recovery of Penalties imposed by the Act, § 55.
57. Penalties may be levied by Distress and Sale of the Goods of Offender, § 56.
58. Summons, Information, and Conviction for Recovery of Penalties may be in the Forms given in the Schedule to the Act, § 57.
59. Members of Loan Societies to be competent Witnesses, and not precluded from acting as Justices in any Proceeding under this Act, § 58.
60. If Action brought for any Trespass, &c. done in Execution of the Act, Plaintiff not to recover after Tender of sufficient Amends, § 59.
61. Provision for Places not included in any Petty Sessions District, § 60.
62. Limitation of Actions, § 61.
63. Interpretation of Act, § 62.
64. Schedules.

Local and Personal Acts.

1. *Athy.*—Repairing Road from, through *Castlecomer* to *Kilkenny*, and from *Castlecomer* to *Leighlin Bridge*, and from *Carlow* to *Castlecomer* (amending Act), 5 & 6 *Vict. c.* xcii.
2. *Belfast* Port and Harbour.—Amending Two Acts for improving, 6 & 7 *Vict. c.* lvi.
3. *Belfast* and *Cavehill* Railway.—Maintaining and reviving Powers of Acts relating thereto, 6 & 7 *Vict. c.* ciii.
4. *Donegal* and *Londonderry.*—Amending Act for draining, &c. Lands in *Lough Swilly* and *Lough Foyle*, so far as relates to Lands in the latter, 6 & 7 *Vict. c.* c.
5. *Drogheda.*—Improvement of the Port and Harbour (repealing Acts), 5 & 6 *Vict. c.* lvi.
6. *Dublin.*—To amend an Act of Her present Majesty for vacating any Presentment for rebuilding the Gaol of *Newgate* in *Dublin*, and any Contract between the Commissioners for rebuilding the said Gaol and the Contractor, 5 & 6 *Vict. c.* 6.
7. *Dublin* (County and City).—More equal Applotment of certain Rates, 6 & 7 *Vict. c.* cii.
8. *Dundalk.*—Repairing Road from, to *Bannbridge* (repealing Act), 5 & 6 *Vict. c.* lxxvi.
9. ——— Repairing Road from, to *Bannbridge*, so far as relates to the Northern Division (repealing Acts), 6 & 7 *Vict. c.* xlviii.
10. Ecclesiastical Commissioners of *Ireland* and Bishop of *Derry.*—Confirming certain Conveyances in perpetuity made by them of Parts of the Mensal Lands of the See of *Derry*, and confirming Leases made by the said Bishop and his immediate Predecessor of other Parts of the Mensal Lands of the same See; also enabling the Bishop of *Derry* for the Time being to grant Leases of the Parts last mentioned, and certain other Parts of the Mensal Lands of the See of *Derry*, 5 & 6 *Vict. c.* 34. (*Pr.*)
11. *Kingstown.*—Authorizing the Conveyance of a Piece of Land upon which the Church has been erected, and providing for the due Celebration of Divine Service in said Church, and assigning a District thereto, 5 & 6 *Vict. c.* lxi.
12. *Lagan* Navigation.—Incorporating Persons having Claims upon, and providing for its future Improvement, 6 & 7 *Vict. c.* civ.
13. *Londonderry Bridge.*—Amending several Acts relating to, 6 & 7 *Vict. c.* lxxvii.
14. *North America* Colonial Association of *Ireland.*—Amending Act for incorporating, and granting certain Powers to, 5 & 6 *Vict. c.* xcvi.
15. *Saggart* Parish.—Rendering valid a certain Award as to the Commons of *Saggart* in the County of *Dublin*, 6 & 7 *Vict. c.* 24. (*Pr.*)
16. *Wexford* Harbour.—Improving, maintaining, and regulating, 6 & 7 *Vict. c.* xli.
17. *Wicklow* Harbour.—Making, maintaining, and improving, 5 & 6 *Vict. c.* cxi.

Lunatic Asylums.

1. For amending, until the First Day of *August* One thousand eight hundred and forty-five, and until the End of the then next Session of Parliament, the Law relating to private Lunatic Asylums in *Ireland*, 5 & 6 *Vict. c.* 123.
2. Inspectors General of Prisons to be Inspectors of Lunatic Asylums, § 1.
3. Oath of Inspectors General, § 2.
4. No Person shall keep a House for the Reception of Insane Persons unless licensed, § 3.
5. Justices of Peace may grant Licences, § 4.
6. Licences to be granted in Court. Notice of Application for Licence to be given, § 5.
7. Detached Buildings to be considered Part of the House; and Notice of Alterations to be given. Penalty for not giving Notice, &c., § 6.
8. Licence to be made out by Clerk of the Peace according to Schedule (A.), and Fees to be paid thereon, § 7.
9. When Licence granted, Clerk of the Peace to furnish Inspectors with Copy of the Licence, Notice, and Plan, § 8.
10. How Money received for Licences to be disposed of, § 9.
11. Treasury may advance Money for the Purposes of this Act, § 10.
12. On Death of licensed Person the Licence may be confirmed to other Persons, § 11.

13. Where

13. Where any licensed Person becomes incapable, or the House is rendered unfit, the Justices may grant a new Licence to another Person, and also for another House. Notice of such Changes, § 12.
14. Lord Lieutenant or Lord Chancellor may revoke Licences. Previous Notice to be given, § 13.
15. No Person shall be received into or retained in a licensed House without an Order and Medical Certificate, § 14.
16. Form, &c. of Medical Certificate to warrant Reception of Insane Persons into licensed Houses. Certificate not to be signed by Medical Men interested by themselves or their Relatives, &c. in such Houses, § 15.
17. Notice of Reception of Insane Persons, and Copies of Orders and Medical Certificates, to be transmitted to Inspectors of Lunatic Asylums, who shall keep a Register, § 16.
18. Notice of Escape, Removal, or Death of Insane Patients to be given to Inspectors, § 17.
19. Licensed Houses not kept by a Physician, &c. to be visited by a Medical Man once a Fortnight. Statement of Health to be kept, and shown to Visitors, § 18.
20. Inspectors may alter the periodical Visits of Medical Attendants, § 19.
21. Inspectors to visit licensed Houses once in every Six Months, § 20.
22. Duties of Inspectors, § 21.
23. Plan of House to be hung up, and Copy of Act kept, and at each Visitation Inspector to make Minutes, § 22.
24. Minutes to be transcribed in a Book, § 23.
25. Concealment from Inspectors to be considered a Misdemeanor, § 24.
26. Patients Book to be kept in every licensed House, and to be produced to Visiting Justices, § 25.
27. Penalty on Omission to produce the Books, § 26.
28. Inspectors to consider Cases to which their Attention may be drawn, and make Entry in Patients Book, § 27.
29. Inspectors may make special Visits, and after Two such Visits may, subject to certain Restrictions, liberate a Patient, § 28.
30. Notice of special Visits, § 29.
31. Mode of serving Notice, § 30.
32. Provision as to certain Insane Persons, § 31.
33. Inspectors may, upon Information of Malpractices, visit licensed Houses at Night, § 32.
34. In case of Inquiry Inspectors may give Information relative to any Person confined, § 33.
35. Particulars of Inquiry to be made by Inspectors, § 34.
36. Annual Report to be made by Inspectors to the Lord Lieutenant and Lord Chancellor, § 35.
37. Insane Person not to be received into unlicensed House without an Order and Medical Certificates, § 36.
38. Copy of Order and Medical Certificate and annual Certificates to be transmitted from unlicensed Houses to Inspector, § 37.
39. Lord Chancellor may direct special Visitation of Patients in Confinement, § 38.
40. Inspectors may call in a Physician, &c., when visiting any House, and also the Managing and Medical Officers of the nearest District Asylum, § 39.
41. Lord Chancellor may assign Counsel to assist at any Investigation, § 40.
42. Expences of Inspectors how to be paid, § 41.
43. After Death or Discharge of Patient the Orders, &c., in that Behalf may be delivered up to be cancelled, § 42.
44. Inspectors may summon Witnesses, § 43.
45. Penalties for giving false Evidence, &c., § 44.
46. Service of Summons, § 45.
47. Penalties recoverable by Civil Bill, § 46.
48. Proceedings of Proprietors, &c., to be justified in course of Common Law, § 47.
49. Limitation of Actions, § 48.
50. Act not to extend to public Institutions, § 49.
51. Counties of Cities, &c. to be deemed Part of Counties at large, § 50.
52. Commencement and Continuance of Act, § 51.
53. Interpretation of Act, § 52.
54. Schedules.

Marriages.

1. For Confirmation of certain Marriages in *Ireland*, 5 & 6 *Vict.* c. 113.
2. Marriages heretofore celebrated by Presbyterian or other Dissenting Ministers, &c. to be of Force as if solemnized by Clergymen of Established Church, § 1.
3. This Act not to affect certain Marriages, § 2.
4. Any Act already done under the Authority of any Court, &c. not affected, § 3.
5. For Confirmation of certain Marriages in *Ireland*, 6 & 7 *Vict.* c. 39.
6. Certain Marriages celebrated in *Ireland* by Protestant Dissenting Ministers to be the same in Law as if solemnized by Clergymen of the Established Church, § 1.

Marshalsea Courts, See Courts.

Municipal Corporations.

1. To amend an Act of the Third and Fourth Years of Her present Majesty, for the Regulation of Municipal Corporations in *Ireland*, 5 & 6 *Vict.* c. 46.
2. The Acts 3 & 4 *Vict.* c. 108. and 3 & 4 *Vict.* c. 109. shall be deemed to have operation in any Borough in which, *de facto*, Burgess Lists shall have been revised, a Burgess Roll made, and the Municipal Election of the Town Council been held by Barristers appointed by the Lord Lieutenant, § 1.
3. Provision for discontinuing Proceedings, questioning Elections, &c. under the Act 3 & 4 *Vict.* c. 108.—§ 2.
4. Removing Doubts as to Continuance in Office of Judges of Courts of Conscience. Proviso, § 3.
5. Justices of Counties at large to which Portions of Counties of Cities, &c. shall have been admitted shall exercise Jurisdiction as Justices in the Portions so added, § 4.
6. Interpretation of Act, § 5.
7. To amend an Act of the Third and Fourth Years of Her present Majesty for the Regulation of Municipal Corporations in *Ireland*, 6 & 7 *Vict.* c. 93.
8. Recited Enactment repealed, § 1.
9. Town Clerk to prepare a Book containing the Names of Persons entitled to be Burgesses, arranged alphabetically according to the Form in the Schedule. The Collectors of the several Taxes shall attend at the Office of the Town Clerk, and insert the Payments of such Taxes in the proper Columns. Upon Completion of the Entries the Town Clerk to give Notice thereof, and permit the Book to be perused, and give Copies or Extracts, § 2.
10. Penalty on Mayor, &c. neglecting their Duties, § 3.
11. The Days for doing several Acts required by 3 & 4 *Vict.* c. 108. altered, § 4.
12. Time of Election and Entrance upon Office of Mayor changed, § 5.
13. When Election Day falls on a *Sunday* the Election to be on *Monday*, § 6.

14. Extending the Power allowed to be exercised over the Lands, &c. with the Approbation of the Treasury, § 7.
15. Councils of Boroughs, &c. may acquire Lands, &c. with the Consent of the Treasury. 9 *G.* 4. *c.* 82. Notice of Application, § 8.
16. Powers of dissolved Corporations under 34 *G.* 3. (*I.*) may be exercised by Commissioners or Justices until other Provision made, § 9.
17. Existing Elections declared valid in certain Cases, § 10.
18. But not Elections heretofore declared invalid, § 11.
19. So much of 9 *G.* 4. *c.* 82. as relates to Vestry Rate repealed, § 12.
20. Qualification of Voter; of Commissioner, § 13.
21. Right of voting shall be decided by Chairman at Meeting. Clerk to Guardians to attend with Valuation Book to assist Chairman. Clerk refusing or neglecting to forfeit for each Offence 20*l.* and Costs, § 14.
22. The Registry which the Commissioners are to keep of 5*l.* and of 20*l.* Householders shall be framed with reference to the Poor Rates Valuation, § 15.
23. So much of 9 *G.* 4. *c.* 82. as directs the Commissioners to make a Valuation for the Purposes of the Act repealed, § 16.
24. The Poor Rate Valuation shall be used instead. Proviso, § 17.
25. Supplemental Valuations, § 18.
26. Copies of Valuations, § 19.
27. Entry of Rate, or a certified Copy thereof, Evidence, § 20.
28. Applications may be made to the Lord Lieutenant for adopting the Provisions of Act 9 *G.* 4. *c.* 82., notwithstanding the Determination of any Meeting previously held under that Act; and the Lord Lieutenant may give Directions accordingly, § 21.
29. Recovery of Rates by Civil Bill, § 22.
30. Polling at Elections of Commissioners, § 23.
31. Appointment of Commissioners to receive Affidavits and take Bail in *Galway* Borough Court, § 24.
32. Jurisdiction of Assistant Barrister for *Louth* extended to *Drogheda*, § 25.
33. Municipal Commissioners for *Carrickfergus*, § 26.
34. What deemed sufficient Occupation and Payment of Rates to entitle a Person to be enrolled on the Burgess Roll, § 27.
35. Appeals and Applications as to Claims of Admission and Enrolment may be consolidated, § 28.
36. Boundary of the Borough of *Waterford*, § 29.
37. Acts to continue in force, except as altered, § 30.
38. Recited Act of 3 & 4 *Vict.* and this Act to be construed together, § 31.
39. Schedule.

Pawnbrokers, See Charitable Pawn Offices.

Police.

1. For improving the *Dublin* Police, 5 & 6 *Vict. Sess.* 2. *c.* 24.
2. The several recited Acts to be construed together as One Act; and their Enactments and Provisions to apply and extend to this Act, § 1.
3. Police Vans, &c. exempted from Turnpike Tolls, § 2.
4. Constables dismissed to deliver up Accoutrements, § 3.
5. Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables, § 4.
6. Framing a false Bill of Parcels to escape Detection, a Misdemeanor, § 5.
7. Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age, § 6.
8. Regulations respecting Public Houses to extend to other Houses of Public Resort, § 7.
9. For preventing the keeping of Places for Bear-baiting, Cock-fighting, &c., § 8.
10. Commissioners empowered to authorize Superintendents of Police to enter Gaming Houses. Owners or Keepers thereof liable to Penalty. Not to prevent proceeding by Indictment, § 9.
11. Proof of Gaming for Money, &c. not necessary in support of Information, § 10.
12. Commissioners of Police may regulate the Route and Conduct of Persons driving Stage Carriages, Cattle, &c. during the Hours of Divine Service, § 11.
13. And to make Regulations for preventing Obstructions in the Streets during public Processions, &c., § 12.
14. Proprietors of Stage Carriages not liable to Penalties for deviating from Route, § 13.
15. Prohibition of Nuisances by Persons in public Thoroughfares, § 14.
16. Drunkards guilty of riotous or indecent Behaviour may be imprisoned, § 15.
17. Persons using Carriages without Driver's Consent liable to a Penalty, § 16.
18. Prohibition of other Nuisances, § 17.
19. Cutting Ropes, Cables, &c., § 18.
20. The Police to have the Power of Constables upon the River *Liffey*, &c., and may take into Custody any Person who, to prevent Discovery, shall wilfully let fall any Articles into the River or Harbour of *Kingstown*, § 19.
21. Possessing Instruments for unlawfully procuring and carrying away Wine, &c., a Misdemeanor, § 20.
22. Piercing Casks, opening Packages, &c., a Misdemeanor, § 21.
23. Breaking Packages with Intent to spill Contents, a Misdemeanor, § 22.
24. Superintendents and Inspectors may board Vessels, § 23.
25. Superintendents, &c. having just Cause to suspect Felony may enter on board Vessels, &c. to take up suspected Persons, § 24.
26. Divisional Justices may award Compensation for Hurt or Damage not exceeding 10*l.*, § 25.
27. Constables may apprehend any Offender whose Name and Residence are not known, § 26.
28. Constables may apprehend without Warrant in certain Cases, § 27.
29. Persons charged with recent Assaults may be apprehended without Warrants, § 28.
30. Power to Police Constables and Persons aggrieved to apprehend certain Offenders, &c., § 29.
31. Removing Furniture to evade Rent, § 30.
32. Horses, Carriages, &c. of Offenders may be detained, § 31.
33. Persons apprehended without Warrant to be taken to the Station House, § 32.
34. Power to take Recognizances at Station Houses on petty Charges, § 33.
35. Power to bind over Persons making Charges, § 34.
36. Condition of Recognizances, § 35.
37. Offences for which no Penalty is appointed, § 36.
38. Not to repeal Local Acts containing Penalties, § 37.
39. Offences how to be tried, § 38.
40. If Penalty not paid, Offender may be committed, § 39.
41. Application of Penalty when Constable contributes to Conviction, § 40.
42. Commissioners of Paving to erect Urinaries, § 41.
43. And to purchase Buildings and Ground for that Purpose, § 42.

44. Repair of Urinaries, § 43.
45. Commissioners empowered to defray Expences of erecting such Urinaries, &c., § 44.
46. Urinaries to be subject to Commissioners, § 45.
47. Supply of Vacancies among Divisional Justices, § 46.
48. One Divisional Justice may do any Act directed to be done by more than One Justice, except at Petty Sessions, § 47.
49. Warrant, &c. may be served out of Districts by any Constable of the Force, § 48.
50. Divisional Justices may proceed by Summons, and if Party summoned does not appear may issue Warrant, § 49.
51. How Summons may be served, § 50.
52. Warrant for Apprehension may be issued without Summons, &c., § 51.
53. Justices may enforce Attendance of Witnesses, § 52.
54. Persons convicted of having or conveying stolen Goods liable to Penalty or Imprisonment, § 53.
55. On Suspicion of Goods being stolen or unlawfully obtained, Divisional Justices may grant Search Warrants, § 54.
56. Party by whom stolen Goods are received to be examined by Justices, § 55.
57. Justices may order Delivery of stolen Goods, § 56.
58. Power to order Delivery of Possession of Goods charged to have been stolen or fraudulently obtained, and in Custody of Constables, § 57.
59. Unclaimed stolen Goods delivered to the Receiver of the District may be sold after Twelve Months, § 58.
60. Power to award Costs on hearing of Charges, § 59.
61. Amends may be awarded for frivolous Informations, § 60.
62. Penalties on Informers for compounding Informations, § 61.
63. Power to lessen Shares of Informers, § 62.
64. And to mitigate Penalties. Proviso as to Revenue Acts, § 63.
65. Power to remand or enlarge Prisoners on Recognizances, § 64.
66. Disputes between Watermen and others to be settled by Divisional Justices, § 65.
67. Power to order Compensation for wilful Damage by Tenants, § 66.
68. Power to deal summarily with Cases of oppressive Distress, § 67.
69. Power to order Delivery of Goods unlawfully detained to the Owner, § 68.
70. Fees, § 69.
71. Proceedings on Information before Justices, § 70.
72. Recovery of Penalties and Forfeitures, § 71.
73. Forms of Information and Conviction, § 72.
74. In case of Death or Absence of Divisional Justice, § 73.
75. Plaintiff not to recover after Tender of Amends, § 74.
76. Limitation of Actions, § 75.
77. So much of 3 & 4 *W.* 4. *c.* 68., 6 & *W.* 4. *c.* 38., and 2 & 3 *Vict. c.* 79., as requires Service of Notice on Persons informed against, repealed, § 76.
78. One Commissioner of Police may act, § 77.
79. Act not to affect, except in certain Cases, Proceedings in Informations under Revenue or Stamp Acts, § 78.
80. Interpretation Clause, § 79.

Presentments, See Grand Jury Presentments.

Prisons, See Courts.

Poor.

1. For the further Amendment of an Act for the more effectual Relief of the destitute Poor in *Ireland*, 6 & 7 *Vict. c.* 92.
2. Lessors of Property of less Value than 4*l.*, or in certain Boroughs than 8*l.*, to be rated for the same, § 1.
3. Recovery of Rates from Lessors by Action or Civil Bill, or by Warrant of Distress, § 2.
4. If Rate be not paid by the Lessor it may be recovered from the Occupier, who may deduct it from Rent, § 3.
5. Where Houses are let in Lodgings the Tenant of the whole House to be liable, § 4.
6. By Agreement Lessors of Property of any Value may be rated, § 5.
7. Goods found on Premises may be distrained, § 6.
8. Valuation to be made by a Valuator appointed or sanctioned by the Commissioners, and not to be departed from in assessing the Rate, 1 & 2 *Vict. c.* 56. *s.* 66. Proviso as to Appeals, § 7.
9. Removing Doubts as to Court of Appeal against a Rate, § 8.
10. 1 & 2 *Vict. c.* 56. *s.* 69. repealed. Valuation to be inspected at reasonable Times, § 9.
11. 1 & 2 *Vict. c.* 56. *s.* 65. as to Form of Rate and Declaration of Guardians, repealed. Hereafter Clerk to certify the Value, and Guardians to allow the Rate, § 10.
12 Rates for the County of *Dublin* to be collected as in any County in *Ireland*, § 11.
13. Residence defined for the Purpose of charging Relief to Electoral Divisions, § 12.
14. Appeal from the Decision of Guardians on the Question of Residence, § 13.
15. Maintenance of Deaf and Dumb or Blind in Institutions approved by the Commissioners may be paid out of Rates, § 14.
16. As also Conveyance of Persons from Workhouse to Fever Hospital, &c., § 15.
17. Places for the Reception of Fever Patients, &c. may be provided, § 16.
18. Expences of prosecuting Offenders under the Acts, § 17.
19. Guardians may assist destitute poor Persons to emigrate, § 18.
20. In case of Vacancy amongst *ex officio* Guardians the Commissioners may appoint a Day for a new Election, § 19.
21. Resignation of Candidates, § 20.
22. Commissioners may order fresh Election to supply Vacancies when they see fit, § 21.
23. Persons convicted of certain Offences incapable of being Guardians, § 22.
24. Disputes as to Elections of Guardians may be determined by the Commissioners. Certiorari, § 23.
25. Owners and Proxies to make their Claims One Month before voting, § 24.
26. Penalty for making or tendering false Voting Papers, &c., and for suppressing Voting Papers, &c., § 25.
27. In what Case Returning Officer may refuse Vote, § 26.
28. Rate-payers and nominal Parties to be competent Witnesses, § 27.
29. Recited Acts and this Act to be construed as One Act, § 28.
30. Schedule.

Punishment of Death.

1. To assimilate the Law in *Ireland* as to the Punishment of Death to the Law in *England*; to abolish the Punishment of Death in certain Cases in *Ireland*, and to substitute other Punishments in lieu thereof, 5 & 6 *Vict. c.* 28.
2. Recital of 12 *G.* 1. *c.* 3. *s.* 1. (*I.*) inflicting the Punishment of Death on Popish Priests or degraded Clergymen or pretended Clergymen celebrating Marriages between Protestants or between a Protestant and a Papist. Transportation for Seven Years substituted for the Punishment of Death for the Offences herein mentioned, § 1.
3. Recital of 11 *G.* 2. *c.* 5. (*I.*) inflicting the Punishment of Death for burning or destroying Ships by Owners, Masters, or Mariners. Transportation for Life or not less than Fifteen Years, &c., substituted for Punishment of Death, § 2.
4. 29 *G.* 2. *c.* 5. (*I.*) prohibiting Persons serving the *French* King, repealed, § 3.
5. Recital of 21 & 22 *G.* 3. *c.* 16. *s.* 16. (*I.*) inflicting the Punishment of Death for Embezzlement by Servant of Bank of *Ireland* of any Note, &c. Transportation for Life or Seven Years, &c., substituted for the Punishment of Death, § 4.
6. Recital of 23 & 24 *G.* 3. *c.* 20. *ss.* 1. to 8. (*I.*) inflicting the Punishment of Death for Obstruction of the Corn Trade, or injuring Store-houses, Vessels, &c. used in the Corn Trade. Transportation for Seven Years, &c. substituted for the Punishment of Death, § 5.
7. Recital of 27 *G.* 3. *c.* 15. (*I.*) inflicting Punishment of Death for tumultuous Risings and Assemblies, and for opposing Proclamations, &c. being made. Transportation for Life or not less than Fifteen Years, &c. substituted for the Punishment of Death, § 6.
8. Recital of 27 *G.* 3. *c.* 15. *s.* 5. (*I.*) inflicting the Punishment of Death for riotous assembling to pull down or injure Churches, &c. For deterring Persons from giving Evidence or collecting Rates, and for issuing Notices to excite Riot. Transportation for Seven Years, &c. substituted for the Punishment herein specified, § 7.
9. Recital of 27 *G.* 3. *c.* 15. *s.* 10. (*I.*) inflicting Punishment of Death for seizing Arms or Ammunition, or for voluntarily supplying the same to assist in committing Offences. Transportation, &c., substituted for the Punishment of Death for the Offences herein specified, § 8.
10. Recital of 32 *G.* 3. *c.* 27. *s.* 4. (*I.*) inflicting the Punishment of Death for receiving an escaped Prisoner, or assisting in the Escape of a Prisoner from a Penitentiary. Imprisonment substituted for the Punishment of Death for receiving any escaped Prisoner, § 9.
11. Assisting in breaking open any such Penitentiary punishable with Transportation, § 10.
12. Recital of 51 *G.* 3. *c.* 63. *s.* 6. inflicting the Punishment of Death for a Second Escape from Prison, &c. Transportation, &c., substituted for Punishment of Death for the within-named Offence, § 11.
13. Recital of 11 *G.* 3. *c.* 7. (*I.*) and 9 *G.* 4. *c.* 54. *s.* 16. inflicting Punishment of Death for returning from Transportation, Transportation for Life, with previous Imprisonment, substituted for Punishment of Death for Offences herein specified, § 12.
14. Recital of 9 *G.* 4. *c.* 54. *s.* 17. inflicting the Punishment of Death for killing or wounding Cattle, &c. Transportation substituted for the Punishment of Death for said Offence, § 13.
15. Recital of 10 *G.* 4. *c.* 34. *ss.* 18, 19, 20. inflicting the Punishment of Death for Rape, &c. Transportation for Life substituted for the Punishment of Death for Offences herein specified, § 14.
16. Recital of 10 *G.* 4. *c.* 34. *s.* 22. inflicting the Punishment of Death for Abduction, &c. Transportation for Life or for not less than Seven Years substituted, § 15.
17. Piracy to be punishable by Transportation for Life or for not less than 15 Years, &c., § 16.
18. Persons punishable by Transportation under this Act liable to Imprisonment previous to Transportation, § 17.
19. Principal in Second Degree punishable as Principal in First Degree, § 18.
20. Imprisonment to be with or without hard Labour, or solitary, as the Court may deem meet, § 19.
21. Breach of the Laws for collecting the Revenue in *Ireland*, punishable with Death under 52 *G.* 3. *c.* 143., to be punishable as in *England*, § 20.
22. Act not to repeal the Prisons Act, 7 *G.* 4. *c.* 74.—§ 21.
23. Commencement of Act, § 22.

Public Works.

1. To amend the Acts for carrying on Public Works in *Ireland*, 6 & 7 *Vict. c.* 44.
2. Commissioners of the Treasury may discontinue the Issue of Exchequer Bills, § 1.
3. On such Discontinuance the Commissioners to wind up and close the Accounts, § 2.
4. Repayments to be carried to the Account of the Consolidated Fund, § 3.
5. Commissioners for this Act, § 4.
6. A Sum not exceeding 15,000*l. per* Quarter to be applied for Public Works in *Ireland*, § 5.
7. A separate Account to be opened at the Bank of *England*, § 6.
8. Commissioners to receive Applications and make Loans, § 7.
9. Commissioners of Public Works in *Ireland* to certify Loans granted by them. Upon Production of such Certificate to the proper Officer an Order to be endorsed thereon for Payment of the Sum granted. Proviso, § 8.
10. Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to the Cashiers of the Bank of *England*, § 9.
11. Commissioners for Reduction of National Debt to furnish an annual Account for Audit, § 10.
12. Bank of *Ireland* to open an Account with Paymaster of Civil Services of Repayments, § 11.
13. Appropriation and Entry of Repayments. Receipt of Paymaster to be a Discharge, § 12.
14. All Sums paid into the Bank of *Ireland* to be carried to and made Part of the Consolidated Fund, § 13.
15. Powers of recited Acts as to Advances to have the same Force as if re-enacted, § 14.
16. Commissioners may retain the whole of the Mortgage Debt or Charge out of Purchase, notwithstanding some of the Instalments for Principal may not have actually become due and payable at the Time of Sale, § 15.
17. Powers for recovering Loans to Trustees of Turnpike Roads extended to Loans under 45 *G.* 3. *c.* 43.—§ 16.
18. 21,000*l.* may be issued by way of Grant, 1 & 2 *Vict. c.* 88.—§ 17.
19. Construction of certain Words in this Act, § 18.

Rates, See Justices of Peace.

Real Property.

1. For extending to *Ireland* the Provisions not already in force there of an Act of the Third and Fourth Years of the Reign of the late King *William* the Fourth, intituled

An Act for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto; and to explain and amend the said Act, 6 & 7 *Vict. c.* 54.
2. Provisions of 3 & 4 *W.* 4. *c.* 27., relating to Advowsons, &c., extended to *Ireland*, § 1.
3. Certain Words in those Provisions to be similarly interpreted, § 2.
4. Removing Doubts as to the Periods limited for bringing any Quare impedit or other Action, § 3.
5. Provisions for the Cases of Roman Catholic Patrons who shall hereafter conform. 18 *Car.* 2. (*I.*)—§ 4.
6. Act not to apply to Suits commenced before 1st *January* 1845, § 5.

Representation.

1. To amend an Act of the Second and Third Years of His late Majesty, "to amend the Representation of the People of *Ireland*," in respect of the Right of Voting in the University of *Dublin*, 5 & 6 *Vict. c.* 74.
2. The annual Payment of 1*l.* required by said Act repealed, § 1.
3. Compositions for 5*l.* for Life in lieu of the annual Payment to remain good, § 2.
4. All Electors not having compounded to pay 5*l.* before 1st *December*, and all Arrears due, or 10*l.* to be made up with Sums already paid, § 3.
5. Persons hereafter becoming Electors to pay 5*l.*, § 4.
6. Name on College Books considered as on Books of University, § 5.
7. Registrar to make out alphabetical List of Electors. Copies of List to be printed, § 6.
8. Registrar shall annually revise the List, and expunge the Names of dead Electors, § 7.

Rivers.

1. To amend an Act of the First and Second Years of His late Majesty King *William* the Fourth, to empower Landed Proprietors in *Ireland* to sink, embank, and remove Obstructions in Rivers, 5 & 6 *Vict. c.* 105.
2. No Commission shall issue until One Tenth Part of the Amount subscribed shall be deposited, § 1.
3. Calls may be recovered by Action, § 2.
4. Power to make Surveys preparatory to applying for a Commission under recited Act, making Compensation. Justices to award Compensation in case of Complaint, § 3.
5. Works not exceeding 500*l.* may be executed by virtue of Grand Jury Presentment under 1 & 2 *W.* 4. *c.* 57.—§ 4.
6. Lord Lieutenant to appoint Applotters in default of Owners and Occupiers, § 5.
7. Obligation to the Crown required by 1 & 2 *W.* 4. *c.* 57. dispensed with. A Bond to be entered into, and a Warrant of Attorney given. Bond may be sued upon, § 6.
8. Upon Performance of the Conditions the Bond to be cancelled, § 7.
9. Meeting of Landholders to be convened to appoint a Valuator in certain Cases, § 8.
10. Mills, Weirs, &c., causing Injury to Lands, may be taken, and Compensation awarded, § 9.
11. Saving for Property of the Ordnance, § 10.
12. Not to affect the Powers of the *Irish* Society under 1 & 2 *Vict. c.* lxxxvii.—§ 11.
13. Recited Act construed with this, § 12.

Roman Catholics, See Voters at Elections.

Sheriffs, See Civil Bill Decrees.

Small Debts, See Civil Bill Decrees; Dublin (County), 5.

Spirits.

1. To impose an additional Duty on Spirits, and to repeal the Allowance on Spirits made from Malt only, in *Ireland*, 5 & 6 *Vict. c.* 15.
2. Additional Duty of 1*s. per* Gallon on Spirits in *Ireland*, § 1.
3. Additional Duty to be under the Management of Commissioners of Excise, and be raised under the same Provisions as former Duties, § 2.
4. Allowance on Spirits made from Malt only in *Ireland* repealed, § 3.
5. 4 & 5 *W.* 4. *c.* 75. *ss.* 4, 5. repealed, §§ 4, 5.
6. Spirits may be removed from a Warehouse in *Scotland* or *Ireland* to any other approved Warehouse in *Scotland* or *Ireland*, under the Regulations of the Commissioners of Excise, but not otherwise, § 6.
7. No Spirits from unmalted Corn in *Scotland* shall be taken out of Warehouse for Removal to *Ireland* unless distilled and warehoused separate from Spirits made from Malt only. Malt Allowance to be repaid before Removal to *Ireland*. Penalty for Default in either Case, § 7.
8. Provision for Malt Spirits removed from *Scotland* to *Ireland* after 11th *March* and before passing of the Act, § 8.
9. Additional Duty may be added to the Price of Spirits contracted for before the 11th Day of *March* 1842. § 9.
10. To reduce the Duty on Spirits in *Ireland*, and to impose other countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between *Ireland*, *England*, and *Scotland* respectively, 6 & 7 *Vict. c.* 49.
11. After 1st *August* 1843 the additional Duty of 1*s. per* Gallon imposed by the first-recited Act on Spirits in *Ireland* to cease, § 1.
12. New Duties and Drawbacks on the Removal of Mixtures and Compounds between *Ireland* and *England* and *Scotland*, § 2.
13. Duties, &c. granted by this Act to be under the Management of the Commissioners of Excise, &c., § 3.
14. Provisions of 6 & 7 *W.* 4. *c.* 72. respecting Removal and Strength of Mixtures, &c., to be in force notwithstanding the Repeal of the same by 5 & 6 *Vict. c.* 25.—§ 4.

See *General Index*, Excise, 2—12.

Stamp Duties.

1. To assimilate the Stamp Duties in *Great Britain* and *Ireland*, and to make Regulations for collecting and managing the same, until the Tenth Day of *October* One thousand eight hundred and forty-five, 5 & 6 *Vict. c.* 82.
2. Repeal of Duties on Gold and Silver Plate granted by 47 *G.* 3. *c.* 18.; and on Licences to deal in Plate granted by 55 *G.* 3. *c.* 19.; and on Deeds, &c. by 56 *G.* 3. *c.* 56.; and on Transfer of Mortgages, and on Bankers Notes, granted by 3 *G.* 4. *c.* 117.; and on Composition for the Duties on Bankers Notes granted by 9 *G.* 4. *c.* 80.—§ 1.
3. New Duties on Deeds, &c. the same as in *England* granted by 55 *G.* 3. *c.* 184.. On Gold and Silver Plate the same as by 55 *G.* 3. *c.* 185. On Licences to deal in Plate the same as by 43 *G.* 3. *c.* 69. On Composition for Bankers Notes the same as by 9 *G.* 4. *c.* 23. The Duties on Fire Insurance to be charged on Policies granted by Persons licensed in *Ireland*. Exceptions not to extend to Bills or Notes of the Bank of *Ireland*. Where any of the Duties in *England* have been repealed the same not to be charged

charged in *Ireland;* and where new Duties granted in lieu, the same to be payable in *Ireland.* Releases and Conveyances of Annuities, &c. exempted from *ad valorem* Duty on Repurchase, § 2.

4. Indentures of Apprenticeship, where the Premium does not exceed 10*l.*, exempted from Stamp Duty, § 3.
5. Marriage Licences exempt, if not special, § 4.
6. Exemption of Arbitration Agreements and Awards granted by 5 & 6 *W.* 4. *c.* 64. *s.* 1. limited to Cases where the Matter in dispute is under 20*l.*, § 5.
7. Duties granted as specified in Schedule annexed, § 6.
8. Duties shall be under Management of Commissioners of Stamps and Taxes, and be carried to the Consolidated Fund. Salaries and Charges incidental to levying the Duties to be paid thereout. The present Discounts, &c. to be allowed, § 7.
9. Accounts of Part of certain Duties on the Admission of Students to the Inns of Court, &c. to be kept separate, and such Part paid over to the Treasurer, § 8.
10. Commissioners to provide Dies for denoting the Duties, § 9.
11. Powers and Provisions of former Acts to extend to this Act, § 10.
12. Paper stamped for Duties granted by former Acts may be used for Deeds or Instruments requiring Stamps of like Amount under this Act. Stamped Paper, &c. rendered useless by this Act may be exchanged, or have additional Stamps as herein mentioned, § 11.
13. The Penalty payable on stamping any Deed, &c. to be the same in *Ireland* as in *England*, § 12.
14. All Bonds, &c. for securing the Payment of former Duties to remain in force in respect of the new Duties. New Bonds may be required, § 13.
15. Certificates and Licences to continue in force, § 14.
16. Every Notary Public in *Ireland* to deliver a Note containing his Place of Abode, &c. to the Stamp Office in *Dublin*, and take out a Certificate yearly. Penalty for acting without a Certificate, 50*l.*, § 15.
17. Any Notary or Attorney, &c. delivering in a false Note as to his Residence, &c., with Intent to evade the higher Duties, to forfeit 50*l.* What shall be deemed a Residence within the Limits requiring the higher Duties, § 16.
18. Commissioners may grant Licences to Pawnbrokers and Appraisers. No Person to trade as a Pawnbroker, or act as an Appraiser, without Licence. Date and Continuance of Licences. Persons trading as Pawnbrokers without Licence to forfeit 50*l.* Who deemed Pawnbrokers. Not to extend to Persons who take Interest not exceeding 5*l. per Centum per Annum*, § 17.
19. Pawnbroker to keep One House only under One Licence. Partners to take out One Licence only, § 18.
20. Powers and Provisions of 46 *G.* 3. *c.* 43. relating to Duties on Appraisements and Licences to Appraisers in *Great Britain* to apply to the like Duties in *Ireland*, § 19.
21. Licences to deal in Stamps and to keep printing Presses in *Ireland* to be permanent, § 20.
22. 55 *G.* 3. *c.* 101., as to Sea Insurances, in part repealed, § 21.
23. Commissioners to provide stamped Policies of Sea Insurance, which may be purchased; or Vellum, &c. may be bought, and stamped on Payment of Duty; Penalty on Officers for Neglect. Policies not to be provided at the Public Charge for Insurances under 5,000*l.*, § 22.
24. Every Contract liable to Duty under this Act to be deemed a Policy of Insurance, and certain Particulars to be expressed therein, § 23.
25. No Ship Policy to be made for more than a Year, § 24.
26. Alterations in the Terms of Policies may be made, under certain Restrictions, § 25.
27. No Insurance available in Law unless properly stamped; nor any Vellum, &c. to be stamped after Contract is printed or written thereon. Policies of mutual Insurance at Sea may be stamped with additional Stamps, if not underwritten to an Amount exceeding the Sum warranted by the former Stamps, § 26.
28. Penalty on Persons making Insurance, &c., unless the Contract be properly stamped; and Brokers, &c. acting therein to forfeit 500*l.*, § 27.
29. Brokerage, &c. not a legal Charge unless the Insurance be properly stamped, &c., § 28.
30. Penalty on Assurers unless Insurances be properly stamped, &c., § 29.
31. Allowance of spoiled Stamps on Sea Policies in *Ireland* may be made in the same Cases as in *Great Britain.* Provisions of 53 *G.* 3. *c.* 133. for that Purpose to extend to *Ireland*, § 30.
32. Bankers Notes may be re-issued as often as thought fit, § 31.
33. The Duty on a Lease for a Year, where the Lease is not executed, shall be denoted upon the Release; and no Lease for a Year to be Evidence unless the Release be stamped accordingly, § 32.
34. Recital of 56 *G.* 3. *c.* 56. *s.* 99. as to Registry of Deeds. The Attorney to write on the Deed a Certificate of the Number of Words therein; and if the same be stamped according thereto it may be registered. Penalty for writing false Certificate, 50*l.*, § 33.
35. Bills of Lading and Charter-parties not to be stamped after the signing, except in the Cases specified, under Penalty of 50*l.* Charter-parties may be stamped upon Payment of the Duty, or Duty and Penalty, within certain limited Periods after the signing thereof, § 34.
36. Penalty for not proving Wills or taking out Letters of Administration, 100*l.*, and 10*l. per Centum* on the Duty, § 35.
37. Stamp to be provided for marking Probates, &c. relating to any Estate in respect whereof Probate, &c. shall have been before taken out and the proper Duty paid thereon, § 36.
38. Legacy Duty to be paid by Executors or Administrators on retaining or paying Legacies. If Duty be not paid although deducted by the Executor, the Amount to be a Debt to Her Majesty from Executor. If not deducted by Executor, the Amount to be a Debt to Her Majesty from both Executor and Legatee. Trustees to pay Duties on Legacies charged on Real Estate. In default the Duty to be a Debt to Her Majesty, § 37.
39. What shall be deemed a Legacy under this Act. Exemption of Legacies to Charities in *Ireland*, § 38.
40. Receipts for Legacies to be stamped within Twenty-one Days after the Date. Penalty if not stamped within Twenty-one Days. Receipts signed out of the United Kingdom, § 39.
41. Penalties may be sued for as Penalties under Stamp Act, § 40.
42. Construction of Terms used in this Act, § 41.
43. Commencement of Act, § 42.
44. Continuance of the Act, § 43.
45. Schedule.

See *General Index*, Stamp Duties, 33.

Temporalities, See Bishops.

Turnpikes.

To continue until the Thirty-first Day of *July* One thousand eight hundred and forty-three, and to the End of the then Session of Parliament, the several Acts for regulating Turnpike Roads in *Ireland*, 5 & 6 *Vict. Sess.* 2. *c.* 23. [Further continued to the 31st *July* 1844 by 6 & 7 *Vict. c.* 21.]

University of Dublin, See Representation.

Voters at Elections.

1. To abolish the Roman Catholic Oath as a Qualification for Voters at Elections in *Ireland*, 6 & 7 *Vict. c.* 28.
2. Roman Catholics not to be required at Elections to take the Oath required by 10 *G.* 4. *c.* 7.—§ 1.

Weavers, &c.

1. To amend, and continue to the Twenty-seventh Day of *July* One thousand eight hundred and forty-three, and to the End of the next Session of Parliament, an Act of the Third and Fourth Years of Her present Majesty, for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in *Ireland*, and for the better Payment of their Wages, 5 & 6 *Vict. c.* 68.
2. 3 & 4 *Vict. c.* 91. and this Act continued for One Year from 27th *July* 1842, and thenceforth until the End of the next Session, § 1.
3. Certain Enactments in the said Act referring to the unlawful Disposal of Materials, &c. to extend and apply to Cloths, Tools, and Apparatus, § 2.
4. In proceeding under Search Warrant, Proof not to be deemed necessary, where Oath has been made of reasonable Suspicion of purloining, &c., § 3.
5. The Chief Constable's Power of seizing, without Warrant, Yarns, &c., suspected to be stolen, repealed; and in lieu thereof Power given to place a Constable in charge of the Premises, to prevent the Removal of suspected Property, § 4.
6. If upon Conviction the embezzled Property be restored to the Owner, Expences of the Prosecution, unless previously paid by the Party convicted, must be first paid thereout, § 5.
7. Landlord or other Person seizing for Rent due from Weaver may give Notice to Manufacturer to remove his Cloths, Yarns, &c., and in default the Manufacturer to lose his Remedy, § 6.

J.

Joint Stock Banking Companies.

1. To amend the Law relative to legal Proceedings by certain Joint Stock Banking Companies against their own Members, and by such Members against the Companies, 5 & 6 *Vict. c.* 85.
2. 1 & 2 *Vict. c.* 96. made perpetual, § 1.

Judgments, See Warrants of Attorney.

Judicial Committee of the Privy Council, See Privy Council.

Justices of the Peace.

1. To define the Jurisdiction of Justices in General and Quarter Sessions of the Peace, 5 & 6 *Vict. c.* 38.
2. Justices in Sessions restrained from trying certain Offences. Proviso as to Justices acting in *London* and the Environs, § 1.
3. Indictments found at the Sessions of the Peace to be removed; and Prisoners may be removed by Habeas Corpus, § 2.
4. Recognizances to be obligatory to appear at Assizes, § 3.
5. Power to divide Courts of Sessions of the Peace, § 4.
6. Act may be amended this Session, § 5.
7. Not to extend to *Scotland* or *Ireland*, § 6.
8. To confirm certain Proceedings which may have been had after the passing of the Act intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*, 5 & 6 *Vict. c.* 43.
9. Trials which may have been had at Sessions since the passing of the recited Act, or may be had before 15th *July*, for Offences therein mentioned, shall be as valid as if the said Act had not passed, § 1.

K.

Kensington.

To empower the Commissioners of Her Majesty's Woods to form a new Opening from the *Knightsbridge* Road into *Hyde Park*, and a new Opening from *High Street, Kensington*, into an intended new Road across the Palace Green; and for annexing a Piece of Extra-parochial Ground in the Royal Garden to the respective Parishes of *Saint Mary Abbots Kensington* and *Saint Mary Paddington* in several Portions, 5 & 6 *Vict. c.* 19.

L.

Land Tax, See Assessed Taxes, 1, 11.

Leases, See Clergy.

Libel.

1. To amend the Law respecting defamatory Words and Libel, 6 & 7 *Vict. c.* 96.
2. Offer of an Apology admissible in Evidence in Mitigation of Damages, § 1.
3. In an Action against a Newspaper for Libel the Defendant may plead that it was inserted without Malice and without Neglect, and may pay Money into Court as Amends, § 2.
4. Publishing or threatening to publish a Libel, or proposing to abstain from publishing any thing, with Intent to extort Money, punishable by Imprisonment and hard Labour, § 3.
5. False defamatory Libel punishable by Imprisonment and Fine, § 4.
6. Malicious defamatory Libel, by Imprisonment or Fine, § 5.
7. Proceedings upon the Trial of an Indictment or Information for a defamatory Libel. Double Plea. Proviso as to Plea of Not guilty in Civil and Criminal Proceedings, § 6.

8. Evidence

8. Evidence to rebut *primâ facie* Case of Publication by an Agent, § 7.
9. On Prosecution for private Libel, Defendant entitled to Costs on Acquittal, § 8.
10. Interpretation of Act, § 9.
11. Commencement and Extent of Act, § 10.

Licences, See Public Houses.

Limitation of Actions, See Costs.

Literary Property, See Copyright.

Literary Societies, See Rates.

Loan Societies.

To continue to the First Day of *August* One thousand eight hundred and forty-three the Act to amend the Laws relating to Loan Societies, *5 & 6 Vict. c.* 4. [Further continued to 1st *August* 1844 by *6 & 7 Vict. c.* 41.]

Local and Personal Acts.

1. *Abercorn* (*James* Marquis of). Enabling him to uplift certain Sums of Money lying in Bank, and to borrow upon the Security of the entailed Estates of *Paisley* and *Duddingstone* such further Sum as may be necessary for Repayment to him of a Portion of the Monies laid out on the Improvement of the said Estates, and enlarging the Power of feuing the same, *6 & 7 Vict. c.* 17. (*Pr.*)
2. *Anderton* Carrying Company. Regulating legal Proceedings by or against, *6 & 7 Vict. c.* xxxviii.
3. *Argyll* (*John Douglas Edward Henry* Duke of). Amending Acts relating to Estates, and enabling him to borrow a further Sum of Money, and make same a Charge on the said Estates, *5 & 6 Vict. c.* 16. (*Pr.*)
4. *Ashton* (*William*, Esq.) Dissolution of Marriage, *5 & 6 Vict. c.* 51. (*not printed.*)
5. *Balfour* (*Francis*, Esq.) Vesting the entailed Estates of *Wester Fairnie* and others in Trustees, to sell, and apply the Price arising therefrom in Payment of the Debts affecting or that may be made to affect the said Estates, *6 & 7 Vict. c.* 11. (*Pr.*)
6. *Bates* (*Joshua*). Naturalizing, *5 & 6 Vict. c.* 49. (*not printed.*)
7. *Bathurst* (Sir *Frederick Hutchinson Hervey*, Bart., and *Louisa Mary* his late Wife, and the Honourable *Charlotte Georgina Harriet Craven* Widow). Carrying into effect a Partition and other Arrangements respecting Estates, *5 & 6 Vict. c.* 15.
8. *Benecke* (*Frederick William*). Naturalizing, *5 & 6 Vict. c.* 47. (*not printed.*)
9. *Berwick-upon-Tweed.* Settling and establishing the Rights of resident Freemen and their Widows in Property vested in the Corporation, *6 & 7 Vict. c.* 23. (*Pr.*)
10. *Birkenhead.* Extending the Powers of the Commissioners of the Township, and including the Township of *Claughton-cum-Grange* and Part of the Township of *Oxton* within their Jurisdiction, *6 & 7 Vict. c.* xiii.
11. *Birkenhead* and *Claughton-cum-Grange.* Establishing a Cemetery, *6 & 7 Vict. c.* xxiv.
12. *Birmingham* Free Grammar School. Amending Two Acts relating to, *5 & 6 Vict. c.* 35. (*Pr.*)
13. ——— Amending and continuing Acts for regulating Police, *5 & 6 Vict. c.* 117. (*Pub.*)
14. *Bolton.* Amending and continuing to 1st *October* 1842 Acts for regulating the Police, *5 & 6 Vict. c.* 117. (*Pub.*)
15. ——— More effectually lighting with Gas, *6 & 7 Vict. c.* xiv.
16. ——— More effectually supplying with Water the Town, and several Townships adjacent thereto, *6 & 7 Vict. c.* lxxiv.
17. *Brewood* Grammar School. Empowering the Trustees to make Sales and grant Mining Leases of Parts of Estates belonging to the School, and for other Purposes, *5 & 6 Vict. c.* 18. (*Pr.*)
18. *Bridgewater* (Duke of). Enabling the Trustees of his Will to raise Money for rebuilding *Bridgewater House*, and repairing, &c. the *Bridgewater* Canal, and for other Purposes, *5 & 6 Vict. c.* 30. (*Pr.*)
19. *British* Iron Company. Amending Act for granting certain Powers to, and facilitating the Sale of Estates and Properties belonging to the Company, *6 & 7 Vict. c.* cx.
20. *Buckingham* (Duke of). Enabling him to grant Underleases of Lands in the *Isle of Wight*, and authorizing the granting of Leases of other Lands belonging to *Elizabeth Lydia Lind* and others, *5 & 6 Vict. c.* 37. (*Pr.*)
21. *Bunsen* (Reverend *Henry George*). Naturalizing, *5 & 6 Vict. c.* 42. (*not printed.*)
22. *Calland* (late *Charles*, Esq.). Enabling the Trustees of his Will to grant Building and other Leases of Estates devised by his Will, and to sell certain Portions of the same Estates, and laying out the Monies arising from such Sales in the Purchase of other Lands, to be settled to the same Uses, *5 & 6 Vict. c.* 29. (*Pr.*)
23. *Cambrian* Iron and Spelter Company. Regulating legal Proceedings by or against, and granting certain Powers thereto, *6 & 7 Vict. c.* i.
24. *Carmarthen.* Removing present Markets and providing other Market Places, and regulating Markets, *6 & 7 Vict. c.* xii.
25. *Cass* (Sir *John*, Knight, deceased). Enabling Trustees of Estates held upon Charitable Trusts under his Will to make Sale of Part of said Estates, *5 & 6 Vict. c.* 11. (*Pr.*)
26. *Caswall* (*Henry*, Clerk). Enabling him to exercise his Office of a Priest, and to hold any Benefice or Preferment in the United Church of *England* and *Ireland*, *6 & 7 Vict. c.* 32. (*not printed.*)
27. *Cauvin* (*Louis*). Amending Act to explain and modify his Trust Settlement for the Endowment and Maintenance of an Hospital for the Support and Education of Boys; and further to explain and modify the said Trust Settlement, *5 & 6 Vict. c.* 39. (*Pr.*)
28. *Charterhouse* Hospital. Enabling the Governors to endow the Perpetual Curacy of *Hartland* with a fixed Provision out of the Tithes of the Rectory of *Hartland*, in substitution of their present Obligation, and to sell the Right of Presentation to the said Curacy and Rectory and Tithes, and also certain Lands at *Hartland*, and to invest the Monies arising from such Sales in the Purchase

chase of other Lands, for the Benefit of the said Hospital, 5 & 6 *Vict.* c. 12. (*Pr.*)

29. *Chepstow.* Better supplying with Water the Town and Parish, and the Parish of *Saint Arvans* adjoining thereto, 6 & 7 *Vict.* c. xi.
30. *Cleveland* (Duke of). Enabling the Trustees of his Will to grant Mining, Building, and other Leases of the Trust Estates, and to sell or exchange Parts of the same Estates, 5 & 6 *Vict.* c. 22. (*Pr.*)
31. *Coventry.* Annexing the County of the City of, to *Warwickshire*, and defining the Boundary of the City, 5 & 6 *Vict.* c. 110. (*Pub.*)
32. *Coward* (*George William Henry*). Dissolution of Marriage, 5 & 6 *Vict.* c. 56. (*not printed.*)
33. *Crawfurd* (*William Stuart Stirling*, Esq.) Enabling him, the Heir in Possession of the entailed Estate of *Milton*, and his Successors, to grant Feu Rights thereof, 5 & 6 *Vict.* c. 36. (*Pr.*)
34. *Cwm Celyn* and *Blaina* Iron Company. Regulating legal Proceedings by or against, and granting certain Powers thereto, 5 & 6 *Vict.* c. xxxix.
35. *Davidson* (*Duncan*, Esq.) Enabling him to execute a new Entail of his Lands and Estates of *Tulloch*, for the Purpose of rectifying a Mistake in a former Entail, and vesting Parts of the Lands and Estates in Trustees, for relieving him of Sums laid out in improving the same; and for other Purposes, 5 & 6 *Vict.* c. 21. (*Pr.*)
36. *Devon* (late Earl of). Raising by Mortgage of the Estates devised by his Will a limited Sum of Money, to be applied, under the Direction of the Court of Chancery, in repaying to the present Earl and Lord *Courtenay* the whole or a Portion of the Monies already expended by them for the Repair, &c. of *Powderham Castle*, and Buildings belonging thereto, and towards completing such Repair; and making Provision for Payment of Interest of the Money so to be raised, and for the Liquidation of the Principal; and extending the Power to grant Building Leases contained in the Will of the said late Earl, 5 & 6 *Vict.* c. 24. (*Pr.*)
37. *Dingwall* (Royal Burgh). Appointing it to be the head Burgh of the Shire of *Ross*, and giving cumulative Jurisdiction to the Justices of the Peace of the Counties of *Ross* and *Cromarty*, 6 & 7 *Vict.* c. xcii.
38. *Dinorben* (Right Hon. *Wm. Lewis* Lord). Enabling him, by Mortgage of certain Hereditaments devised to him for Life, with Remainders over, by the Will and Codicils of the Reverend *Edward Hughes*, to raise not exceeding 20,000*l.* at Interest for rebuilding the Mansion and Offices at *Kinmel Park*, devised by the said Will and Codicils to the same Uses, 5 & 6 *Vict.* c. 38. (*Pr.*)
39. *Drought* (*Thomas Fuller*, Esq.) Enabling him and his Issue Male to take the Surname and use the Arms of *Samwell*, pursuant to the Will of Sir *Thomas Samwell* Bart., deceased, 6 & 7 *Vict.* c. 30. (*not printed.*)
40. *Duchall* (entailed Estate). Vesting certain Parts in Trustees, to sell, and apply the Price thereof in discharging the Debts, &c. affecting the said Estate, and if necessary in purchasing the Teinds thereof, 6 & 7 *Vict.* c. 26. (*Pr.*)
41. *Edinburgh* Water Company. Enabled to bring in an additional Supply of Water; and amending Acts relating to the said Company, 6 & 7 *Vict.* c. lxxxix.
42. *Fierville* (*Charles Jacques Marion*). Naturalizing, 5 & 6 *Vict.* c. 46. (*not printed.*)
43. *Fitzwilliam* (*Richard* late Viscount). Granting further Power to lease Part of Estates devised by his Will situate in the City of *Dublin* and Neighbourhood thereof, and authorizing the Sale of certain Fee Farm and other Rents also devised by that Will, 5 & 6 *Vict.* c. 23. (*Pr.*)
44. *Fleetwood* (Dame *Virginie Marie Hesketh*). Naturalizing, 6 & 7 *Vict.* c. 31. (*not printed.*)
45. *Fochabers* (Town of). Incorporating the Directors of *Milne's* Free School, and better Government thereof, 6 & 7 *Vict.* c. lxxxvii.
46. *Forth* Marine Insurance Company. Enabled to sue and be sued; and for other Purposes, 5 & 6 *Vict.* c. xcix.
47. *Fox* (*Richard*, Esq., deceased). Authorizing Sale of Portion of Real Estate devised by his Will, and vesting the Residue thereof in *Richard Maxwell Fox* Esquire, his Heirs and Assigns, in Fee Simple, and vesting certain Lands and Hereditaments of said *Richard Maxwell Fox* in *Henry* Lord Baron *Farnham*, in lieu thereof, to the Uses and upon the Trusts of the said Will, 6 & 7 *Vict.* c. 25. (*Pr.*)
48. *Gair* (*Samuel Stillman*). Naturalizing, 5 & 6 *Vict.* c. 50. (*not printed.*)
49. *Gibson* (*Atkinson Francis*, deceased). Effecting a Partition of Estates devised by his Will, 5 & 6 *Vict.* c. 26. (*Pr.*)
50. *Glasgow* Life Assurance and Reversionary Company. Enabled to sue and be sued; and for other Purposes, 5 & 6 *Vict.* c. lxv.
51. *Glasgow* Marine Insurance Company. Enabled to sue and be sued; and for other Purposes relating to the Company, 6 & 7 *Vict.* c. cvii.
52. *Glegg* (*John Baskervyle*, Esq.). Dissolution of Marriage, 5 & 6 *Vict.* c. 48. (*not printed.*)
53. *Gray* (*John* Lord). Enabling him to borrow a Sum of Money upon the Security of his entailed Estates of *Gray* and *Kinfauns*, and extinguishing certain Claims for Money laid out in Improvements affecting the said Estates, 6 & 7 *Vict.* c. 15. (*Pr.*)
54. Guarantee Society. Regulating legal Proceedings by or against, and granting certain Powers thereto, 5 & 6 *Vict.* c. lxiv.
55. *Hambro* (*Carl Joachim*). Naturalizing, 6 & 7 *Vict.* c. 38. (*not printed.*)
56. *Hawkes* (*John*). Dissolution of Marriage, 5 & 6 *Vict.* c. 54. (*not printed.*)
57. *Hawkins* (Sir *Christopher*, Bart., deceased). Authorizing Surrenders of certain Leases for Lives of Manors and Hereditaments in *Cornwall*, late his Property, by the Tenants for Life in Possession under his Will, and other Persons, and Acceptance of renewed Leases, with certain Exceptions and Reservations, 6 & 7 *Vict.* c. 12. (*Pr.*)
58. *Hele's* Charity Estates. Enabling the Trustees to grant Leases for absolute Terms, not exceeding Twenty-one Years, of certain Estates vested in them, and confirming certain Leases already granted; and fixing the Proportions in which the Rents reserved and to be reserved by such Leases, and such other Profits of the Estates as have accrued and

shall accrue after the granting of such Leases thereof respectively, shall be divided and enjoyed, 5 & 6 *Vict. c.* 40. (*Pr.*)

59. Imperial Bank of *England*. Enabling the Court of Chancery to appoint a Person to sue on behalf of, in lieu of the Public Officer, 5 & 6 *Vict. c.* cxiii.
60. Imperial Continental Gas Association. Granting further Powers to, 6 & 7 *Vict. c.* xxii.
61. Imperial Insurance Company. Altering some of the Provisions of their Deed of Settlement, and better regulating their Proceedings and Investment of their Funds, 5 & 6 *Vict. c.* lxvi.
62. Indemnity Mutual Marine Assurance Company. Regulating legal Proceedings by or against, 5 & 6 *Vict. c.* lxvii.
63. Infant Orphan Asylum. Incorporating the Members of that Institution, and enabling them the better to carry on their charitable Designs, 6 & 7 *Vict. c.* xc.
64. *Jackson* (*William Oliver*, Esq.) Dissolution of Marriage, 6 & 7 *Vict. c.* 37. (*not printed.*)
65. *Kendall* (*Nicholas*, Esq.) Dissolution of Marriage, 6 & 7 *Vict. c.* 33. (*not printed.*)
66. *Kingston-upon-Hull*. Better supplying with Water the Borough, 6 & 7 *Vict. c.* lxxiii.
67. *Lancaster* (County Palatine). Providing additional Grounds to the Lunatic Asylum, 6 & 7 *Vict. c.* xv.
68. *Leeds*. Providing additional Burial Grounds in the Parish, 5 & 6 *Vict. c.* ciii.
69. *Leicester* (*Thomas William* Earl of). Confirming a Settlement and Jointure Provision made by him during his Minority out of certain entailed Estates in the County of *Norfolk*, in favour of *Juliana Whitbread* Spinster, in contemplation of their Marriage, 6 & 7 *Vict. c.* 2. (*Pr.*)
70. *Lesbazeilles* (*Jean Baptiste* and others). Naturalizing, 5 & 6 *Vict. c.* 53. (*not printed.*)
71. *Liebert* (*Bernhard Willhelm Edward*). Naturalizing, 5 & 6 *Vict. c.* 43. (*not printed.*)
72. *Liverpool*. Restricting the vexatious Removal of certain Actions from the Borough Court, 5 & 6 *Vict. c.* lii.
73. ——— Administration of the Laws relating to the Poor in the Parish, 5 & 6 *Vict. c.* lxxxviii.
74. ——— Improvement, good Government, and Police Regulation of the Borough, 5 & 6 *Vict. c.* cvi.
75. ——— Better Protection of Property in the Borough from Fire, 6 & 7 *Vict. c.* cix.
76. *London* and Environs. Prohibiting Burying and Funeral Service in a Church or Chapel in the Parish of *Saint Pancras* on the Estate of the Duke of *Bedford*, 5 & 6 *Vict. c.* x.
77. *London* Cemetery Company. Amending Act for establishing, 6 & 7 *Vict. c.* xxxvi.
78. *London* (Port of). Establishing an Office for the Benefit of Coalwhippers; and staying certain Actions in respect of Fitters Certificates, 6 & 7 *Vict. c.* ci.
79. *M'Culloh* (*Francis*, and *G. B. Roupell* and *J. B. Horner*). Authorizing the granting of Building and Repairing Leases of Lands in the County of *Kent*, formerly belonging to them, 6 & 7 *Vict. c.* 20. (*Pr.*)
80. *Manchester*. Amending and continuing to the 1st *October* 1842 Acts for regulating the Police, 5 & 6 *Vict. c.* 117.
81. *Manchester* Royal Infirmary, Dispensary, and Lunatic Hospital or Asylum. Amending Act, and incorporating the Trustees, 5 & 6 *Vict. c.* i.
82. *Manners* (*George*, Esq., deceased). Vesting certain Estates appointed and devised by his Will, and purchased under the Trusts thereof, in Trustees, to sell the same, and invest the Monies thence arising in the Purchase of other Estates, to be settled to same Uses, 5 & 6 *Vict. c.* 17. (*Pr.*)
83. *Merthyr Tidvil*. Providing for the more effectual Execution of the Office of a Justice of the Peace within that and certain adjoining Parishes, 6 & 7 *Vict. c.* xliv.
84. Metropolitan Patent Wood Paving Company. Regulating legal Proceedings by or against, and granting certain Powers thereto, 5 & 6 *Vict. c.* lxxxv.
85. *Mieville* (*John* otherwise *Jean Louis*). Dissolution of Marriage, 5 & 6 *Vict. c.* 45. (*not printed*).
86. *Mitford* (*Henry Reveley*, Esq.) Dissolution of Marriage, 5 & 6 *Vict. c.* 41. (*not printed.*)
87. *Morgan* (*Herbert*, Esq.) Dissolution of Marriage, 6 & 7 *Vict. c.* 39. (*not printed.*)
88. *Mostyn* (Hon. *Edward Mostyn Lloyd*). Vesting Parts of his settled Estates in Trustees, for Sale, Mortgage, or Exchange, and laying out the Monies to arise therefrom in Payment of Debts, Charges, and Mortgages upon or affecting the same, or other Estates, settled to same Uses, or the Purchase of other Estates, to be settled to the same Uses, 5 & 6 *Vict. c.* 32. (*Pr.*)
89. Northern Coal Mining Company. Enabled to appoint One Board of Directors in lieu of Two independent Boards, and removing Restrictions in the Choice of Directors, 5 & 6 *Vict. c.* xxi.
90. *Oxnam* (*John*, deceased). Authorizing Leases and Setts to be granted of and in an Estate devised by his Will to *John Oxnam* for his Life, with divers Remainders over, 6 & 7 *Vict. c.* 22. (*Pr.*)
91. *Paisley* (Burgh of). Appointing Trustees for the Creditors, and other Purposes relating to the financial Affairs of the said Burgh, 6 & 7 *Vict. c.* lxxxv.
92. *Paterson* (*William*, Esq.). Selling the entailed Estate of *Monkwood*, belonging to him, and investing the Price in the Purchase of other Lands, to be entailed in lieu thereof, 5 & 6 *Vict. c.* 20. (*Pr.*)
93. *Preston* Waterworks. Enabling the Company to raise a further Sum of Money; and amending Act incorporating said Company, and extending their Powers, 6 & 7 *Vict. c.* xxxii.
94. *Ross* and *Cromarty*. Enabling the Sheriffdom to provide proper Court House Accommodations; and for other Purposes, 5 & 6 *Vict. c.* xcviii.
95. *Rosse* (Countess Dowager, deceased). Authorizing the Sale of Portions of the Real Estates devised by her Will, and the Purchase of other Estates, to be settled to the Uses of the Will, and the granting of Farming and Building Leases of the same Estates, 5 & 6 *Vict. c.* 28. (*Pr.*)
96. *Rouma* (*Pierre Lambert Flavian*, and others). Naturalizing, 5 & 6 *Vict. c.* 52. (*not printed.*)
97. *Saint Helens* (*Lancashire*). Better supplying with Water the Town and Hamlets, and Places adjacent thereto, 6 & 7 *Vict. c.* xxiii.
98. *Scotland* (Burgh and Parochial Schoolmasters). Better raising and securing the Fund for the Relief of their Widows and Children, 6 & 7 *Vict. c.* xxv. [Amended by 6 & 7 *Vict. c.* lxxxvi.]

99. *Sewell*

99. *Sewell* (*Thomas*, Esq.) Dissolution of Marriage, 5 & 6 *Vict.* c. 59. (*not printed.*)
100. *Sherborne* (*John* Lord, and *James Henry Legge Dutton*). Discharging the Manor, &c. of *Cheltenham* and other Estates from the Portions of their younger Children, and from the Terms created for raising the same, 5 & 6 *Vict.* c. 25.
101. *Shrewsbury* (Earl of). Vesting Part of his settled Estates in Trustees, to be sold, and laying out the Monies to arise by such Sale in the Purchase of other Lands and Hereditaments, to be settled in lieu thereof to the same Uses and subject to the same Restrictions, 6 & 7 *Vict.* c. 28. (*Pr.*)
102 *Sonning* Parish. Establishing a General Cemetery for the Interment of the Dead, 5 & 6 *Vict.* c. cix.
103. *Southampton* (Town). Establishing a Cemetery within the Borough, 6 & 7 *Vict.* c. lxvii.
104. *Southampton* (*Charles* Lord). Extending a Power of leasing contained in his Marriage Settlement, 5 & 6 *Vict.* c. 31. (*Pr.*)
105. *Street* (*Henry*). Dissolution of Marriage, 5 & 6 *Vict.* c. 58. (*not printed.*)
106. *Swinnerton* (*Thomas*, Esq., deceased). Carrying into effect certain Provisions contained in his Will relative to the building of a Mansion House on his Estate at *Butterton*, and building a Church or Chapel on the said Estate, 5 & 6 *Vict.* c. 27. (*Pr.*)
107. *Todhunter* (*John*). Dissolution of Marriage, 6 & 7 *Vict.* c. 36. (*not printed.*)
108. *Topsham* (Town). Better cleansing, sewering, and draining, 6 & 7 *Vict.* c. lxviii.
109. *Townshend* (Hon. *George Ferrars* Marquis). To declare that certain Persons are not his Children, 6 & 7 *Vict.* c. 35. (*not printed.*)
110. *Tweeddale* (*George* Marquis of). Enabling him to borrow a Sum of Money upon the Security of his entailed Estates, for Repayment to him of a Portion of the Monies laid out by him in the Improvement of these Estates, 5 & 6 *Vict.* c. 33. (*Pr.*)
111. *Verconsin* (*Pierre Frederic Eugene*). Naturalizing, 5 & 6 *Vict.* c. 57. (*not printed.*)
112. *Vere* (*Joseph*). Dissolution of Marriage, 5 & 6 *Vict.* c. 55. (*not printed.*)
113. *Waldegrave* (Ladies *Horatia Elizabeth* and *Ida Anna*, Infants). Authorizing the Disposition, by way of Partition, Lease, or Sale, of certain Parts or Shares belonging to them in Possession and Expectancy of and in the Manors of *Whittlesey* otherwise *Whittlesea Saint Mary* and *Saint Andrew*, and certain Rent-charges created in Commutation of Tithes, Messuages, Lands, and other Hereditaments in the *Isle of Ely*, 6 & 7 *Vict.* c. 18. (*Pr.*)
114. *Walton-on-the Hill.* Division of the Rectory, and authorizing Sales and Conveyances in Fee, or Leases for long Terms of Years, for Building Purposes, and other Dispositions to be made of the Lands and Revenues belonging to the said Rectory and Vicarage, for the Endowment of such separate Rectories and Augmentation of such Vicarage, 6 & 7 *Vict.* c. 16. (*Pr.*)
115. *Watson* (*William*, Esq.) Dissolution of Marriage, 6 & 7 *Vict.* c. 34. (*not printed.*)
116. *Welman* (*Charles Noel*, Esq.) Vesting in him and his Heirs certain Estates holden under the Marriage Settlements of *Charles Noel* Earl of *Gainsborough* and *Elizabeth* his first Wife, deceased, discharged from the Uses of the same Settlements and of all subsequent Assurances, and substituting and settling certain other Estates in lieu thereof and to the like Uses, 6 & 7 *Vict.* c. 19. (*Pr.*)
117. *Weston* (*John*, and *Sarah* his Wife, and *John Jones*). Enabling certain Persons on their Behalf to join in carrying into effect a Compromise and Arrangement with other Parties for a Division of the Real Estates of *Arthur Gramer Miller* deceased, according to a Rule of the Court of Exchequer, 6 & 7 *Vict.* c. 29. (*Pr.*)
118. *White* (Rev. *James*). Confirming Two existing Leases, and enabling him, and the Persons for the Time being entitled to certain Estates in the *Isle of Wight* devised by the Will of *Charles Fitzmaurice Hill* Esquire, deceased, to accept Surrenders of existing Leases, and grant new Leases in lieu thereof, 6 & 7 *Vict.* c. 27. (*Pr.*)
119. *Wilkinson* (*John*, Esq., M.D., deceased). Enlarging the Power to grant Building Leases contained in his Will, 6 & 7 *Vict.* c. 21. (*Pr.*)
120. *Witts* (*Broome*, Esq.). Vesting certain Freehold Messuages, Fee Farm Rents, &c., arising in the City of *London*, devised and settled by his Will, in Trustees, for Sale, and laying out the Monies produced by such Sale in the Purchase of other Estates, to be settled in the same Manner; and enabling the Trustees, as to some of such Messuages, &c., until the Sale thereof, to grant Leases for Twenty-one Years, or, in order that the same may be repaired, rebuilt, or improved, for a longer Period, 5 & 6 *Vict.* c. 4. (*Pr.*)
121. *York* (*Saint Peter*). Enabling the Dean and Chapter to raise Money for Discharge of Debts and effecting the Restoration and Repair of the Church, 5 & 6 *Vict.* c. 19. (*Pr.*)

London Bridge Approaches Fund.

1. For regulating the Priorities of Monies authorized to be charged on a Fund called "The *London Bridge* Approaches Fund," 5 & 6 *Vict.* c. 64.
2. So much of 4 & 5 *Vict.* c. 12. as empowers the Commissioners of Woods, &c. to charge a certain Fund with the Sum of 214,000*l.* repealed, § 1
3. Commissioners of Woods empowered to charge 189,000*l.* in lieu of 214,000*l.*, § 2.
4. Sums authorized to be raised by the Corporation of *London* to have Priority over Sums authorized to be raised by the Commissioners of Woods, § 3.
5. Condition of Priority, § 4.
6. Commissioners of Woods to execute an immediate Charge upon the Fund made chargeable, § 5.
7. Commissioners of Woods to continue incorporated, § 6.
8. Application of Monies to be charged by the Commissioners, § 7.
9. Public Act, § 9.

See *Coals.*

Lord Chancellor, See Affidavits; Lunacy.

Lunacy.

1. To alter and amend the Practice and Course of Proceeding under Commissions in the Nature of Writs De lunatico inquirendo, 5 & 6 *Vict.* c. 84.

2. Power

2. Power to Lord Chancellor to appoint Two Commissioners, § 1.
3. Oath of Commissioners, § 2.
4. Power to Lord Chancellor to direct that the Commissioners shall perform the Duties in Lunacy usually referred to Masters in Chancery, § 3.
5. Commissioners to be *ex officio* Visitors of Lunatics, § 4.
6. Commissioners to execute such Duties as the Lord Chancellor shall order. Lord Chancellor may appoint Special Commissioners, § 5.
7. Power to appoint Successors to Commissioners, § 6.
8. Power to Lord Chancellor to regulate the Practice in Lunacy, § 7.
9. Power to regulate the Number on Juries (not being less than Twelve), § 8.
10. Appointing Officers, Clerks, and Messengers, § 9.
11. The Office of Clerk of the Custodies abolished, § 10.
12. Lord Chancellor to fix Tables of Fees, to be paid into Suitors Fee Fund, § 11.
13. Fees formerly payable to Lord Chancellor to be paid into Fee Fund, § 12.
14. Salaries of Commissioners, § 13.
15. Salaries of Officers, Clerks, &c., and Allowances to Commissioners and Secretary of Lunatics, § 14.
16. Retiring Annuities to Commissioners, § 15.
17. Compensations to Officers, § 16.
18. Construction of Act, § 17.

Lunatics, See Insane Persons.

Lunatic Asylums, See Insane Persons.

M.

Madhouses, See Insane Persons.

Malicious Injuries to Property, See Crimes and Misdemeanors.

Malt (Roasted).

1. To provide Regulations for preparing and using Roasted Malt in colouring Beer, 5 & 6 *Vict. c.* 30.
2. Prohibiting the roasting of Malt for Sale, or the selling thereof, except by Persons duly licensed, § 1.
3. Roasters of Malt and Dealers in Roasted Malt to take out a Licence. Penalty, § 2.
4. Duty on Licences to be under the Management of the Commissioners of Excise, who shall grant the same, § 3.
5. Roasters of Malt to make Entry of Premises and Utensils. Penalty, § 4.
6. And to mark Premises and Utensils corresponding to their Entry, § 5.
7. Officers of Excise empowered to enter the Premises of Roasters of Malt, § 6.
8. Roaster of Malt not to receive any other Grain than Unroasted Malt, and Dealers no other than Roasted Malt, § 7.
9. A Malt Book to be delivered to every Roaster of Malt, and Dealer in Roasted Malt, in which they shall respectively enter all Malt received, roasted, and sent out by them, § 8.
10. Stock Account of Malt to be taken, § 9.
11. Book may be made up before taking the Account, and Malt in the Cylinders may be included, § 10.
12. Malt not to be roasted at Night, § 11.
13. A Certificate Book to be delivered to every Roaster of Malt, and all Roasted Malt to be sent out by Certificate. Penalty, § 12.
14. Brewers intending to use Roasted Malt to provide Deposit Rooms in which all Roasted Malt to be deposited, and Certificate delivered up to Officer of Excise. Penalty, § 13.
15. All Malt received by any Roaster shall be roasted on his Premises; and all Roasted Malt shall be sent out unground, § 14.
16. No Roasted Malt to be bought of any but a licensed Roaster, § 15.
17. No Maltster at his Malthouse, or within One Mile of it, or any Druggist or Grocer, to be a Roaster of Malt or Dealer in Roasted Malt, § 16.
18. Power of Commissioners to except Maltsters whose Premises were within prohibited Distance before 1st *April* 1842, § 17.
19. Roasters, &c. of Malt subject to like Prohibitions as to the Custody, &c. of certain Articles, &c. as Brewers of or Dealers in or Retailers of Beer, § 18.

Management of Customs, See Customs, 3, 77.

Manchester.

To amend, and continue until the First Day of *October* One thousand eight hundred and forty-two, the Acts regulating the Police of *Manchester*, *Birmingham*, and *Bolton*, 5 & 6 *Vict. c.* 117.

Mandamus, See Writs of Error.

Manorial Rights.

1. To amend and explain an Act for the Commutation of certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure, 6 & 7 *Vict. c.* 23.
2. Enfranchisement may be made in consideration of an annual Rent, and Commutation may be made in consideration of the Conveyance of Lands subject to the same Uses as those commuted, &c., § 1.
3. Power to the Person obtaining the Enfranchisement of Lands to grant an annual Rent in consideration of such Enfranchisement, § 2.
4. Power to the Person obtaining the Commutation or Enfranchisement of Lands to convey Lands in consideration of such Commutation or Enfranchisement, § 3.
5. Power to the Person having a particular Estate in an annual Rent to apportion the same, § 4.
6. Power to the Person having a particular Estate in Lands charged with an annual Rent to concur in the Apportionment thereof, § 5.
7. No Apportionment to be made without Consent of Person entitled to the Lands, § 6.
8. Annual Rents charged on Lands to be first Charges on such Lands, § 7.
9. Sub-Lessees not liable to the Payment of a greater Sum than they were before, § 8.
10. If at the Time of the Conveyance of any Lands in consideration of an Enfranchisement there shall be a Lease subsisting, the Person to whom such Lands shall be conveyed shall have the Reversion on such Lease, and may distrain for the Rents and enforce the Covenants, &c., § 9.
11. If

11. If at the Time of the Commutation or Enfranchisement of any Lands there shall be any Lease subsisting therein, the Person seised of or entitled to such Lands shall have the Reversion on that Lease, and may distrain for the Rents and enforce the Covenants, &c., § 10.
12. A Schedule of Apportionment may be used where Six Tenants agree to enfranchise, § 11.
13. Part of the Money received for Enfranchisement may be applied in paying off any Fee-farm Rent or other Charge. Application of the Remainder. Commissioners may direct that any other Security may be substituted for the Payment of Money into the Bank, § 12.
14. Altering Provision in recited Act as to Notice of Person entitled to next Estate of Inheritance, § 13.
15. Payment of Enfranchisement Money when the Lord of the Manor has only a limited Interest, § 14.
16. To what the Acts shall be construed to extend, § 15.
17. This Act a Part of recited Act, § 16.

Manufacturers (Frauds of).

1. To amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein, 6 & 7 *Vict. c.* 40.
2. So much of recited Acts as relates to the Woollen, Linen, Cotton, Flax, Mohair, and Silk Manufactures repealed, § 1. [See *Statutes repealed*, § VII.]
3. Persons convicted of pawning or embezzling any of the Materials herein particularized to forfeit the Value of the same, with Penalty, and Costs. Application of Penalty and Forfeiture. Distress Warrant on Nonpayment. Commitment in default of sufficient Distress, § 2.
4. Persons neglecting to return Materials within a prescribed Time to be subject to the same Punishment as for Embezzlement, § 3.
5. Persons knowingly purchasing or receiving embezzled Materials or Tools guilty of a Misdemeanor, punishable as after mentioned, § 4.
6. Persons knowingly selling, &c. embezzled Materials or Tools, guilty of a Misdemeanor, punishable as after mentioned, § 5.
7. Justices empowered to issue Warrant for Apprehension of Offenders against this Act, and to commit them for Trial, § 6.
8. Workmen neglecting to fulfil their Engagements, not finishing their Work, or leaving without Notice. Penalty, § 7.
9. Justice empowered to grant search Warrants, § 8.
10. Peace Officers to apprehend suspected Persons. Persons apprehended, and not proving that the Property is honestly come by, to be punishable. § 9.
11. Adjournment of Time for Trial allowed, on Prisoner finding Bail, § 10.
12. Punishment of Persons convicted of Misdemeanor, § 11.
13. Disposal of unclaimed Property which has been seized, § 12.
14. Owner of Materials may inspect Shops, &c. of Persons employed. Penalty for Refusal. Proviso, § 13.
15. Warrant may be granted by Justice on Complaint on Oath that Person is about to abscond, § 14.
16. Receiving Goods in fictitious Name, § 15.
17. Justice to issue Warrant to Constable to take possession of Property intrusted to any Person committed for Embezzlement, &c., § 16.
18. Recovery of Wages and Sums due for Work, § 17.
19. Frames, &c. not belonging to Workmen not liable to be seized for Rent or Debt owing by Workmen, § 18.
20. In case of Refusal to restore Frames, &c. unlawfully seized, Justice may order their Restoration, § 19.
21. Penalty for obliterating Mark on Machine, § 20.
22. Power to award Costs to Defendant, § 21.
23. Mode of proceeding to enforce Appearance. After Adjudication Proceedings may be enforced by One of the Justices, § 22.
24. Service of Summons, § 23.
25. Limitation of Time within which Proceedings to be commenced. Prosecutor, &c. a competent Witness, § 24.
26. What Justices to have Jurisdiction. Proviso, § 25.
27. Application of Penalties, § 26.
28. Scale of Imprisonment on summary Convictions not specially provided for, § 27.
29. Form of Conviction, § 28.
30. Appeal to Quarter Sessions in certain Cases, § 29.
31. Proceedings not to be quashed for Want of Form or be removed by Certiorari, § 30.
32. Limitation of Actions against Persons acting in execution of this Act. General Issue. Tender of Amends, § 31.
33. Offences committed before this Act, § 32.
34. This Act not to extend to *Scotland* or *Ireland*, § 33.
35. To what Trades this Act shall extend, § 34.
36. Construction of Terms, § 35.
37. Commencement of Act, § 36.

Marines.

Annual Acts for regulating Her Majesty's Royal Marine Forces while on shore, 5 & 6 *Vict. c.* 13. 6 & 7 *Vict. c.* 4.

Marshalsea Prison, See Queen's Bench Prison.

Meal, See Importation and Exportation.

Merchant Vessels, See Passengers.

Mexican (Republic), See Slave Trade, 127.

Military Savings Banks.

1. To establish Military Savings Banks, 5 & 6 *Vict. c.* 71.
2. Military Savings Banks may be established, § 1.
3. Deposits may be applied and Payments made out of Public Monies, § 2.
4. Rules to be made by Secretary at War, with Concurrence of Commander in-Chief and Commissioners of Treasury, § 3.
5. Trustees and others not personally liable, § 4.
6. Accounts to be laid before Parliament, § 5.
7. Savings Banks not to be within 9 *G.* 4. *c.* 92. and other Acts, § 6.

Militia.

Annual Acts for the Pay and Clothing of the Militia.

1. To defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases

Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia [To 1st *July* 1843], 5 & 6 *Vict. c.* 90. [To 1st *July* 1844], 6 & 7 *Vict. c.* 70.

2. To suspend until the 31st Day of *August* 1843 the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, 5 & 6 *Vict. c.* 72. [Further suspended till 31st *August* 1844 by 6 & 7 *Vict. c.* 43.]

Mines and Collieries.

1. To prohibit the Employment of Women and Girls in Mines and Collieries, to regulate the Employment of Boys, and to make other Provisions relating to Persons working therein, 5 & 6 *Vict. c.* 99.
2. Females not to be employed in Mines or Collieries after the Periods herein mentioned. Indentures of Apprenticeship of Females to be void after the Periods herein mentioned, § 1.
3. Males not to be employed in Mines or Collieries under Ten Years of Age, &c., § 2.
4. Appointment of Inspectors of Mines and Collieries, who shall report as directed, § 3.
5. No Person to be apprenticed under Ten Years of Age, nor for longer than Eight Years. Indentures contrary to Act void; those in force void when Apprentice attains Eighteen Years, § 4.
6. Penalties for Offences against this Act, § 5.
7. Penalty on Parents or Guardians misrepresenting Ages of Persons employed, § 6.
8. Not to affect Persons employed above Ground, § 7.
9. Where there are vertical or other Shafts, no Steam or other Engine to be under the Care of a Person under the Age of Fifteen Years, § 8.
10. Who shall be deemed in charge of Windlass worked by a Horse, &c., § 9.
11. Proprietors of Mines, &c. not to pay Wages at Public Houses, &c., § 10.
12. Wages so paid recoverable as if not paid, § 11.
13. Penalty of 10*l.* for paying Wages at Public Houses, &c., § 12.
14. Agents may be summoned for acting contrary to the Act without the Knowledge of Owners, § 13.
15. Definition of Terms "Owner" and "Agent," § 14.
16. Summonses need not set forth Names of all the Proprietors in Cases of Partnership, § 15.
17. Service of Summons on Agent to be deemed good Service, § 16.
18. Recovery and Application of Penalties, § 17.
19. Persons not paying Penalties may be imprisoned, § 18.
20. Inhabitants of Parishes not incompetent as Witnesses, § 19.
21. Distress not unlawful for Want of Form, § 20.
22. Appeal to Quarter Sessions, § 21.
23. Convictions not removable by Certiorari, § 22.

Montserrat, See Antigua.

Municipal Corporations.

1. To explain and amend certain Enactments contained respectively in the Acts for the Regulation of Municipal Corporations in *England* and *Wales*, and in *Ireland*, 5 & 6 *Vict. c.* 104.
2. The Word "Contract" not to extend to Leases, Sales, &c., § 1.
3. Members of Council not to take part in Discussion if pecuniarily interested, § 2.
4. Persons against whom Suits have been commenced for Penalties respecting Contracts may apply to have the same determined, upon Payment of the Costs, § 3.
5. Judges empowered to order Suits commenced before the 8th *February* 1842 to be discontinued, upon Payment of Costs, § 4.
6. And Suits commenced subsequent to 8th *February* 1842 to be discontinued, without Payment of Costs, § 5.
7. Act not to extend to any Action in which Judgment has passed, § 6.
8. Councillors, &c. not to be disqualified on account of having an Interest in any Lease of Lands, &c., § 7.
9. Office of Sheriff not to be deemed an Office of Profit, § 8.
10. To amend the Act for the Regulation of Municipal Corporations in *England* and *Wales*, 6 & 7 *Vict. c.* 89.
11. No Election of a Mayor in certain Boroughs to be called in question for Defect of Title unless by Quo warranto within Twelve Months from the Election. All Elections of Corporate Officers not so called in question to be deemed valid, § 1.
12. Provision where a greater Number of Persons shall have been elected or claim to be Aldermen of any Borough than is authorized by 5 & 6 *W.* 4. *c.* 76.—§ 2.
13. Provision where no Declaration was made in the Year 1835 as to which of the Aldermen should first go out of Office, § 3.
14. Provision as to Proceedings already commenced, § 4.
15. Provision for expediting certain Proceedings by way of Mandamus and Quo warranto, § 5.
16. Office of Treasurer not to be subject to annual Election, but to be during the Pleasure of the Council, § 6.
17. Provision for the Appointment of a Deputy Recorder in certain Cases, § 7.
18. In case of Sickness or Absence the Recorder may appoint a Deputy Recorder, § 8.

See *Boroughs.*

Musical Compositions, See Copyright.

Mutiny.

Annual Mutiny Acts, 5 & 6 *Vict. c.* 12. 6 & 7 *Vict. c.* 3.

N.

Nevis, See Antigua.

Newfoundland.

1. For amending the Constitution of the Government of *Newfoundland*, 5 & 6 *Vict. c.* 120.
2. Her Majesty empowered to raise the Qualification of Members of Assembly, § 1.
3. Her Majesty empowered to lengthen Period of Residence of Electors, § 2.
4. Her Majesty empowered to restrain Appropriation of Revenue, § 3.
5. Her Majesty empowered to direct Elections to be simultaneous, § 4.

6. Her Majesty may appoint an Executive Council, § 5.
7. Her Majesty empowered to abolish the Council as a distinct Branch of the Legislature, and to re-establish it, § 6.
8. Future Commissions to be laid before Parliament, § 7.
9. Change in Constitution not to continue beyond a limited Time, unless Parliament shall otherwise direct, § 8.
10. Act not to interfere with Prerogative of Her Majesty, § 9.
11. Act not to affect 2 & 3 *W.* 4. *c.* 78.—§ 10.

New Holland, See Australia, 40.

New South Wales.

1. For the Government of *New South Wales* and *Van Diemen's Land,* 5 & 6 *Vict. c.* 76.
2. Legislative Council to be constituted, § 1.
3. Electoral Districts to be constituted, § 2.
4. Boundaries of Cities and Towns to be settled by the Governor, § 3.
5. Power to alter System of Representation, § 4.
6. Qualification of Electors, § 5.
7. Persons disqualified to vote, § 6.
8. Possession or Occupancy requisite to Qualification, as also Payment of Rates and Taxes, § 7.
9. Qualification of Elective Members of Council, § 8.
10. Declaration by Candidates, § 9.
11. Persons making false Declarations liable to the Penalties of Perjury, § 10.
12. Writ for new Election in case of Vacancy, § 11.
13. Appointment of Part of the Council, § 12.
14. Appointment how made, § 13.
15. Tenure of Office of Non-elective Councillor, § 14.
16. Resignation of Legislative Councillor, § 15.
17. Causes by which Seat may be vacated, § 16.
18. Vacation of the Seat of Official Councillors, § 17.
19. Trial of Questions of Vacancy, § 18.
20. Vacancy among appointed Members of Council, how supplied, § 19.
21. Place and Time of holding Council, § 20.
22. Duration of Council, § 21.
23. First calling together of Council, § 22.
24. Election of Speaker, § 23.
25. Number necessarily present for Transaction of Business, § 24.
26. Members to take Oath of Allegiance, § 25.
27. Affirmation, § 26.
28. Standing Orders to be adopted, § 27.
29. Re-election and Re-appointment of Council, § 28.
30. Governor and Legislative Council authorized to make Laws, § 29.
31. Governor may propose Laws and Amendments, and may return Bills amended, § 30.
32. Giving or withholding Assent to Bills, § 31.
33. Disallowance of Bills assented to, § 32.
34. Assent to Bills reserved, § 33.
35. Appropriation of Taxes and Duties, § 34.
36. Issue of Money under Warrant, § 35.
37. Revenue to be charged with the Expence of Collection and Management, § 36.
38. Grants for Civil and Judicial Services, § 37.
39. How the Appropriation of Sums granted may be varied, § 38.
40. Governor to intimate intended Appropriation of the Sum of 18,600*l.*, § 39.
41. Governor to conform to Instructions, § 40.
42. District Councils to be established, § 41.
43. For what Purposes Council may make Bye Laws, § 42.
44. No Tax to be laid on Property belonging to the Crown, § 43.
45. Transmission of Bye Laws of District Councils to the Governor, for Assent, § 44.
46. Provision for further Definition of Powers of District Councils, § 45.
47. If no Election, Governor to appoint, § 46.
48. Police Expenditure, § 47.
49. Assessments to be levied by local Rate, § 48.
50. Power of Distress and Sale, § 49.
51. Amount to be expended for District Police by the Governor, § 50.
52. Provision for Constitution of new Colonies, § 51.
53. Form of Government in any such new Colony, § 52.
54. Repealing Part and continuing other Parts of 9 *G.* 4. *c.* 83. as continued by 6 & 7 *W.* 4. *c.* 46.; 7 *W.* 4 & 1 *Vict. c.* 42.; 1 & 2 *Vict. c.* 50.; 2 & 3 *Vict. c.* 70.; and by 3 & 4 *Vict. c.* 62. —§ 53.
55. Interpretation of "Governor," § 54.
56. Commencement of Act, § 55.
57. To amend so much of an Act of the last Session, for the Government of *New South Wales* and *Van Diemen's Land,* as relates to *Norfolk Island,* 6 & 7 *Vict. c.* 35.
58. *Norfolk Island* may be annexed to *Van Diemen's Land,* § 1.
59. Continuance of Laws and Ordinances, § 2.

Norfolk Island, See New South Wales, 57.

Notaries.

1. For removing Doubts as to the Service of Clerks or Apprentices to Public Notaries, and for amending the Laws regulating the Admission of Public Notaries, 6 & 7 *Vict. c.* 90.
2. Public Notaries may retain Clerks or Apprentices in their Business as such, or as Attorneys and Notaries if so practising, and Persons serving them not disqualified, § 1.
3. No Public Notary to retain a Clerk or Apprentice, unless in actual Practice, § 2.
4. Persons serving Five Years to a Notary to be entitled to Admission as Notaries. Proviso as to Consent of Notary if bound for a longer Time. If Affidavit as to Execution of Contract be not filed within Time required, the Service to reckon from the Day of filing, unless otherwise ordered, § 3.
5. Master of the Faculties may require Testimonials of Ability, &c., § 4.
6. Appeal, § 5.
7. Saving the Rights of Scriveners Company, § 6.
8. Oath on Admission of Notary, § 7.
9. Oaths, &c. may be taken by Commission, § 8.
10. Application to strike a Notary off the Roll for Defect in Articles, &c. to be made within Twelve Months, § 9.
11. Persons practising as Notaries not being duly authorized to forfeit 50*l.* Like Forfeitures and Provisions as in former Act, and all the Powers thereof, and of 3 & 4 *W.* 4. *c.* 70., not hereby varied, to be in force as if re-enacted, § 10.

O.

Oaths and Declarations.

1. To alter the Hours within which certain Oaths and Declarations are to be made and subscribed in the House of Peers, 6 & 7 *Vict. c.* 6.
2. Extension of the Time for Peers to make Oaths, &c. in the House of Lords till Five o'Clock in the Afternoon, § 1.

Offenders, See Apprehension of Offenders.

Offenders in Foreign Countries.

1. To remove Doubts as to the Exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual, 6 & 7 *Vict. c.* 94.
2. The Power acquired by Her Majesty in Countries out of Her Dominions shall be held on the same Terms as Her Majesty's Authority in the Crown Colonies, § 1.
3. Acts done in pursuance of such Power to be of the same Effect as if done under local Laws, § 2.
4. Courts authorized to procure Evidence of such Power by Application to Secretary of State, § 3.
5. Power to send Persons charged with Crimes for Trial to a *British* Colony. Before any such Person shall be sent to any Colony for Trial he may tender any material Evidence that he would be unable to produce on Trial, and which shall be taken down and transmitted. In case the Laws of the Place in which the Act was committed vary from those of the Colony the Court may give effect to them. Nothing herein to alter any Law respecting Crimes committed out of Her Majesty's Dominions, § 4.
6. Power to send Convicts for Execution or Imprisonment to a *British* Colony, § 5.
7. Power to transport Convicts, § 6.
8. Limitation of Actions, § 7.
9. 6 *G.* 4. *c.* 33. *s.* 4. and 6 & 7 *W.* 4. *c.* 78. repealed, § 8.

Officers of Boroughs, See Boroughs.

Officers of Chancery, See Chancery (Court of).

Offices and Employments, See Indemnity, 1; Queen's Bench (Court of).

Ordnance Department.

1. To consolidate and amend the Laws relating to the Services of the Ordnance Department, and the vesting and Purchase of Lands and Hereditaments for those Services, and for the Defence and Security of the Realm, 5 & 6 *Vict. c.* 94.
2. Recited Acts repealed, § 1. [See *Statutes repealed*, III.]
3. All other Acts touching the Defence of the Realm and the Ordnance Department repealed, § 2.
4. Repeal of the said Acts not to revive any Act repealed, or prejudice any Sale, Contract, &c., § 3.
5. Not to exempt from Punishment Offences committed previously to the passing hereof, § 4.
6. Lands, &c. purchased for the Service of the Ordnance, and all Buildings, &c. thereon, vested in the principal Officers, § 5.
7. Lands to be hereafter taken, &c. to be vested in the same Manner, § 6.
8. Terms assigned to attend the Inheritance of Lands, &c. holden for the Ordnance to remain in same Trustees on same Terms, § 7.
9. On the Death of any Person now holding Copyholds, &c. for the Ordnance, the Secretary to be admitted on Payment of Customary Fines, &c., § 8.
10. Principal Officers may purchase Lands, &c., and take Leases on behalf of the Crown, § 9.
11. Power given to Bodies Politic and others to treat, § 10.
12. In case of Death or Removal, Lands, &c. shall vest in the Successors of such principal Officers, § 11.
13. Lands, &c. may be sold, exchanged, or let, § 12.
14. Purchase Monies shall be paid to those whom the principal Officers may direct, § 13.
15. After Purchase Money paid the Purchaser to have full Right and Possession, § 14.
16. Compensation to be made where equitable Rights are established, but not to exceed the Purchase Money received by such principal Officers, § 15.
17. Principal Officers may authorize Persons to survey and mark out Lands, and treat with Owners for the absolute Purchase thereof, § 16.
18. When Footpaths, &c. are stopped up, other Paths to be made in lieu thereof, § 17.
19. Bodies Politic may agree for the Sale of Lands, &c., § 18.
20. In default of treating, or where the Parties do not agree, the Persons authorized by Her Majesty may require Two Justices, &c. to put Her Majesty's Officers in Possession. Jury to be summoned to value the Premises, § 19.
21. Appeal may be made to the Court of Exchequer, &c. if either Party is dissatisfied with the Verdict of the Jury, § 20.
22. Jury may ascertain the Proportion to be paid out of Compensation for Land to Lessees, &c., § 21.
23. Court to require the Party to give Security for Costs, § 22.
24. Lands not to be taken for the Defence of the Realm without Consent of the Owners, unless in certain Cases, § 23.
25. Erections on Lands taken for a temporary Purpose to be removed before the Lands are restored to the Owner, and Compensation shall be made for the Injury done. In case of Disagreement, how Compensation shall be settled. Act not to affect any Agreement between the Parties, § 24.
26. Purchase Money payable to Bodies Politic, &c., how to be invested, § 25.
27. Barons, &c. of Exchequer to make Order for the Investment of such Purchase Money, § 26.
28. Investment of Purchase Money when less than 200*l.*, § 27.
29. Investment of Purchase Money when less than 20*l.*, § 28.
30. Stock and Securities vested in Remembrancer, &c. shall, in case of Death or Removal, vest in the Successor, § 29.
31. Persons in Possession deemed entitled to the Premises until the contrary shall be shown, § 30.
32. For Enrolment of Deeds relating to Lands, &c., in *England* and *Wales*, § 31.
33. Deeds not required to be acknowledged, &c., § 32.

34. Office Copies of Enrolments of such Deeds, &c. admissible in Evidence, § 33.
35. Ordnance may sue as "The principal Officers of Her Majesty's Ordnance," without naming them. Privileges and Prerogatives of the Crown not to be curtailed, § 34.
36. Style to be adopted in Deeds, &c., § 35.
37. Principal Officers empowered to give Notices, make Claims, and authorize Entries, &c., § 36.
38. Principal Officers exempted from personal Responsibility, § 37.
39. Two principal Officers may act, § 38.
40. Act not to vest Property belonging to Her Majesty in the Officers of the Ordnance, § 39.
41. Nothing in this Act to repeal or alter 10 *G.* 4. *c.* 50. or 2 & 3 *W.* 4. *c.* 1.—§ 40.
42. Act not to vest any Property belonging to the Prince of *Wales* in the Officers of the Ordnance, § 41.

Out-Pensioners of Chelsea Hospital, See Chelsea Hospital.

P.

Pardons. See Transported Convicts.

Parish Constables.

1. For the Appointment and Payment of Parish Constables, 5 & 6 *Vict. c.* 109.
2. Justices to hold Special Sessions for appointing Constables, § 1.
3. Justices to issue Precepts to Overseers, requiring Lists of Men qualified to serve as Constables, § 2.
4. Overseers to make out Lists of Persons qualified to serve, § 3.
5. Small Parishes and Extra-parochial Places may be annexed to any adjoining Parish, § 4.
6. Who qualified to be Constables, § 5.
7. Exemption from serving as Constables, § 6.
8. Disqualification from serving as Constables, § 7.
9. Lists to be fixed on Church Doors, and also kept by Overseers for Inspection, § 8.
10. Penalty on Overseers for neglecting Returns, or making false Returns, § 9.
11. Overseers to attend the Special Session, § 10.
12. Justices to choose Constables, § 11.
13. Constables to be sworn. Substitutes may be allowed, § 12.
14. Penalty for refusing to act, or to find a Substitute, § 13.
15. Lists of Constables appointed in the Division to be published; and Parish Lists to be affixed to the Church Doors, § 14.
16. Power of the Constables, § 15.
17. Provision in case of Vacancy, § 16.
18. Fees and Allowances, § 17.
19. A Vestry may resolve to have paid Constables, § 18.
20. Justices to appoint paid Constables. In Parishes where paid Constables are appointed none other need be. Tenure of Appointment, § 19.
21. Salary to be paid out of the Poor Rate, § 20.
22. Constables not to be appointed in Courts Leet, § 21.
23. Lock-up Houses and Strong Rooms to be provided, § 22.
24. Superintendents to be appointed, § 23.
25. Recovery of Penalties, § 24.
26. Application of Penalties, § 25.
27. Interpretation of Act, § 26.

Parish Debts.

1. To explain and amend the Acts regulating the Sale of Parish Property; and to make further Provision for the Discharge of Debts, Liabilities, and Engagements incurred by or on behalf of Parishes, 5 & 6 *Vict. c.* 18.
2. All Sales and Dispositions of Lands, Buildings, &c. by Overseers and acting Guardians of dissolved Incorporations, to Unions formed under 4 & 5 *W.* 4. *c.* 76. and 7 *W.* 4. & 1 *Vict. c.* 50. deemed valid, § 1.
3. Explanation of the Meaning of 5 & 6 *W.* 4. *c.* 69. *s.* 3. Proviso for charitable Donations, and for Consent of Ratepayers, &c. to certain Sales, &c., § 2.
4. For Sale of Property belonging to several Parishes. Proviso that no Trustee shall be required to join in any Conveyance of parochial Property, § 3.
5. Provisions of 1 & 2 *Vict. c.* 25. for the Payment of Debts out of the Produce of the Sale of parochial Property extended to any recognized *bonâ fide* Debts, § 4.
6. Poor Law Commissioners may, upon Receipt of a Parochial Request, order Payment of the aforesaid Debts out of the Poor Rates, § 5.
7. Overseers may borrow Money, and charge the same on the Poor Rates, for the Payment of such Debts, § 6.
8. Provision for the Discharge of Bonds under 22 *G.* 3. *c.* 83.—§ 7.
9. Payments in respect of Debts not legally charged on the Rates or provided for under this Act, illegal, and to be disallowed, § 8.
10. Interpretation of Act, § 9.

Parish Property, See Parish Debts.

Parochial Rates, See Rates.

Passengers.

1. For regulating the Carriage of Passengers in Merchant Vessels, 5 & 6 *Vict. c.* 107.
2. Recited Acts and Part of Act repealed, except as to the Repeal of 9 *G.* 4. *c.* 21.—§ 1.
3. Limitation of Numbers of Passengers according to Tonnage and Space, § 2.
4. Construction and Thickness of lower Deck, § 3.
5. Height between Decks, § 4.
6. Sleeping Berths, § 5.
7. Quantities of Provisions and Water to be issued to each Passenger, § 6.
8. Further Regulations as to Water, § 7.
9. Computed Length of different Voyages, § 8.
10. How Children are to be computed in the Enumeration of Passengers, § 9.
11. Government Emigration Agents or Officers of Customs to survey Provisions and Water, § 10.
12. The same Officers to attend generally to Enforcement of the Act, § 11.
13. Seaworthiness of the Ship may be ascertained by Survey, § 12.
14. Sufficient Boats to be carried, § 13.
15. Copies of the Act to be kept on board, and produced if demanded, § 14.

16. In every Ship (except to *North America*) carrying 100 Passengers, or 50 Passengers, if the Voyage be longer than Twelve Weeks, a Medical Practitioner and Medicines to be carried, and in every other Ship a proper Supply of Medicines, § 15.
17. Sale of Spirits to Passengers prohibited, § 16.
18. List of Passengers to be delivered before clearing, § 17.
19. Lists of additional Passengers after clearing out, § 18.
20. Written Receipts to be given in respect of Passengers to *North America*, § 19.
21. Licences to be taken out by Dealers and Brokers in respect of Passages to *North America*. Licences to be granted by Justices, and Notice thereof transmitted to Colonial Land and Emigration Commissioners. Notice to be given to Colonial Land and Emigration Commissioners of intended Application for Licences, § 20.
22. Penalties for acting without written Authority from Principals, and for obtaining Passage Money fraudulently, § 21.
23. Return of Passage Money and Compensation to Passengers, in certain Cases, § 22.
24. Subsistence in case of Detention, § 23.
25. Passengers not to be landed without their Consent at any other Place, § 24.
26. Passengers to be maintained for Forty-eight Hours after their Arrival, § 25.
27. Facilities to be given to the proper Officers for Inspection of Ships, &c., § 26.
28. Penalties, § 27.
29. The Right of Action of Passengers not to be taken away or abridged, § 28.
30. Recovery of Penalties, § 29.
31. *Vivâ voce* Evidence may be given of a Party being a Government Agent or Officer, § 30.
32. Passengers suing not incompetent Witnesses, § 31.
33. Distress not to be unlawful for Informality, § 32.
34. Tender of Amends, § 33.
35. Limitation of Actions. Defendant may plead the General Issue, &c. Costs, § 34.
36. Owners or Charterers and Masters of Vessels to enter into Bond (without Stamps) for the due Performance of the Regulations prescribed by this Act. Limitation of Prosecutions, § 35.
37. Exception of particular Kinds of Ships, § 36.
38. Extension of Act to *West Indies, Western Africa, Malta,* and the *Mauritius*, § 37.
39. Power to Governors of other Colonies to adopt the Act, § 38.
40. Governors empowered to declare computed Length of Voyage. Proviso, § 39.
41. The Governor, &c. may issue Proclamation substituting other Articles of Food, &c. if equivalent, § 40.
42. Such Proclamation to be transmitted for Her Majesty's Confirmation or Disallowance. Attested Copy of such Proclamation to be received as Evidence in the Colony in which it may be produced, § 41.
43. Powers for determining the Seaworthiness of any Ship vested in Governors, &c., § 42.
44. No Bond required for Voyages from the Colonies, § 43.
45. Exception of certain Provisions of this Act in the Case of Voyages from the Colonies. § 44.
46. Extension of the Act, with further Exceptions, to Voyages shorter than Three Weeks in the *West Indies*, § 45.
47. Power to Governors of other Colonies to adopt the same Extension of the Act to Voyages shorter than Three Weeks, § 46.
48. This Act not to prevent the Enactment by Colonial Assemblies, or by Her Majesty in Council, of Laws necessary for establishing the Rules and Regulations required by said recited Act and this Act, § 47.
49. Power to the Governor General of *India* in Council to adopt this Act, with certain Exceptions, in *India*, § 48.
50. Mode of proceeding for Recovery of Penalties in *India* to be regulated by the Governor in Council, § 49.
51. Act to extend to Foreign Vessels, § 50.
52. Act not to extend to Cabin Passengers, § 51.
53. Interpretation of Act, § 52.
54. Title of the Act, § 53.
55. Commencement of Act, § 54.
56. Schedules.

Paving, Watching, Lighting, and Improving Towns and other Places.

1. *Anderston.*	Improvement of the Burgh and regulating the Police of, and of certain Lands adjacent; and for other Purposes, 6 & 7 *Vict. c.* cv.
2. *Bolton.*	More effectually lighting with Gas the Borough and Places adjacent, 6 & 7 *Vict. c.* xiv.
3. *Borrowstounness.*	Paving, lighting, and cleansing the Streets of the Town, and regulating the Police, 6 & 7 *Vict. c.* lxix.
4. *Bradford*	Better supplying the Town and Neighbourhood with Water, 5 & 6 *Vict. c.* vi.
5. *Brentford (Old and New.)*	Supplying with Gas, and raising a further Sum of Money (amending Act), 5 & 6 *Vict. c.* lxxviii.
6. *Brighton.*	Amending Act for better lighting the Town and other Places with Gas, 6 & 7 *Vict. c.* xxi.
7. *Bristol.*	Restoring to the City and County a Portion of the ancient Boundary, 5 & 6 *Vict. c.* ix.
8. *Camberwell and Peckham.*	Amending Act for lighting and watching, 5 & 6 *Vict. c.* l.
9. *Fleetwood.*	Paving, lighting, &c. the Town and Neighbourhood, and establishing a Market, 5 & 6 *Vict. c* xlix.
10. *Glasgow.*	Better supplying and lighting with Gas the City and Suburbs and Places adjacent, 6 & 7 *Vict. c.* lviii.
11. ———	Amending Acts for better paving, watching, &c., and regulating the Police of the City and adjoining Districts, and managing the Statute Labour of the said City, 6 & 7 *Vict. c.* xcix.
12. *Gorbals.*	Regulating the Police, and paving, cleansing, &c. the Streets and Grounds adjacent, 6 & 7 *Vict. c.* xciii.
13. *Great Torrington.*	Erecting a Market House and regulating Market, 5 & 6 *Vict. c.* xxii.
14. *Kingston-upon-Hull.*	Better supplying with Water the Borough, 6 & 7 *Vict. c.* lxxiii.
15. *Leamington Priors.*	Amending Act for paving, lighting, cleansing, &c. the Town, and establishing a Market therein, 6 & 7 *Vict. c.* lix.
16. *Leeds.*	Providing additional Burying Grounds in the Parish, 5 & 6 *Vict. c.* ciii.
17. ———	Better lighting, cleansing, sewering, and improving the Borough, 5 & 6 *Vict. c.* civ.

18. *Leeds.* — Amending Act for lighting with Gas the Town and Neighbourhood, 6 & 7 *Vict.* c. xxx.
19. *Liverpool.* — Amending Act relating to the Paving and Sewerage, 5 & 6 *Vict.* c. xxvi.
20. ——— — Promotion of Health of Inhabitants, and better Regulation of Buildings (repealing Act), 5 & 6 *Vict.* c. xliv.
21. ——— — Enabling the Commissioners for paving and sewering more effectually to water the Streets, and provide Water for extinguishing Fires, 6 & 7 *Vict.* c. lxxv.
22. London, Westminster, and Environs. — Incorporating the Equitable Gas Light Company, and more effectually lighting with Gas certain Parishes and Places in Westminster and the Western Parts of the Metropolis, 5 & 6 *Vict.* c. xxxvi.
23. ——— — *Clerkenwell Green.*—Amending Act for opening a new Street to, 5 & 6 *Vict.* c. xlvii. *See* 5 & 6 *Vict.* c. ci.
24. ——— — *Ely Place* and *Ely Mews, Holborn.*—Paving, watching, cleansing, &c., 5 & 6 *Vict.* c. xlviii.
25. ——— — *Camberwell* and *Peckham.* — Amending Act for lighting and watching, 5 & 6 *Vict.* c. l.
26. ——— — *Saint Pancras.*—Amending Act for paving, &c. certain Streets in the Parish, 5 & 6 *Vict.* c. li.
27. ——— — *Southwark* (*Borough*). — Incorporating the South Metropolitan Gas Light and Coke Company, and for more effectually lighting with Gas certain Places within the Borough and other Parishes and Places in *Surrey* and *Kent*, 5 & 6 *Vict.* c. lxxix.
28. ——— — *Southwark* (*Saint George the Martyr*).—Making a new Street from *Blackman Street* to *Southwark Bridge Road*, and improving the *Mint* District, 5 & 6 *Vict.* c. cvii.
29. ——— — *Saint Mary Abbotts Kensington.* — Improvement of the *Norland* Estate in the Parish of, 6 & 7 *Vict.* c. xxxiii.
30. ——— — *Saint Matthew Bethnal Green.*—Paving, lighting, cleansing, &c. the Streets, Highways, &c. in the Parish, and paving such Parts of *Old Cock Lane* and *York Street* as are in the Parish of *Saint Leonard Shoreditch*, 6 & 7 *Vict.* c. xxxiv.
31. ——— — *Kentish Town.*—Better paving, lighting, and improving the Hamlet and its Vicinity, 6 & 7 *Vict.* c. lx.
32. ——— — *Knightsbridge, Kensington,* and *Paddington.*—Empowering the Commissioners of Woods to form a new Opening from the *Knightsbridge Road* into *Hyde Park*, and a new Opening from *High Street, Kensington*, into an intended new Road across the Palace Green, and annexing a Piece of Extra-parochial Ground in the Royal Garden to the respective Parishes of *Saint Mary Abbotts Kensington* and *Saint Mary Paddington* in several Portions, 5 & 6 *Vict.* c. 19.

33. London, Westminster, and Environs. — *Pentonville.*—Establishing a Prison at, 5 & 6 *Vict.* c. 29.
34. ——— — *Saint James Westminster.*—Empowering the Commissioners of Her Majesty's Woods to appropriate to Building Purposes the Area of *Thatched House Court*, and to widen and improve *Little Saint James' Street*, in the Parish of *Saint James Westminster*, 6 & 7 *Vict.* c. 19.
35. ——— — *Victoria Park.*—Extending an Act of 4 & 5 *Vict.* for enabling the Commissioners of Woods to purchase certain Lands, 5 & 6 *Vict.* c. 20.
36. *Manchester.* — Transferring to the Mayor, &c. certain Powers and Property now vested in the Commissioners for cleansing, lighting, &c. the Town, 6 & 7 *Vict.* c. xvii.
37. *Newport.* — Better lighting with Gas the Town and Borough, 6 & 7 *Vict.* c. xxxi.
38. *Northampton.* — Better paving, lighting, &c. the Town and Borough, 6 & 7 *Vict.* c. lxxviii.
39. *Nottingham.* — Lighting with Gas the Town and several Places adjacent (repealing Act), 5 & 6 *Vict.* c. xiii.
40. ——— — Lighting the Streets and public Roads within the Town and County of the Town, 6 & 7 *Vict.* c. ii.
41. *Plymouth.* — Regulating Hackney Coaches, Boats and Wherries, in the Parishes of *Saint Andrew* and *Charles, East Stonehouse* and *Stoke Damerel*; and for other Purposes, 6 & 7 *Vict.* c. lxi.
42. *Portsea.* — Paving, lighting, &c. the Town, and removing Nuisances and Annoyances therein, 6 & 7 *Vict.* c. xxxv.
43. *Saint Austell.* — Taking down Market House, and erecting a new one, and increasing and regulating Markets and Fairs, 5 & 6 *Vict.* c. xiv.
44. *Stalybridge.* — Lighting the Town with Gas, 5 & 6 *Vict.* c. vii.
45. *Sudbury.* — Amending Act for paving, lighting, &c. the Town, 5 & 6 *Vict.* c. lxxxvii.
46. *Toxteth Park.* — Better paving and improving the Streets and Highways, and for Sewerage of certain Parts thereof, 5 & 6 *Vict.* c. cv.
47. *Weston-super-Mare.* — Lighting, watching, &c., and establishing a Market, 5 & 6 *Vict.* c. xx.

Peers, See Oaths and Declarations.

Penitentiary at Millbank, See Prisons, 68.

Perpetuating Testimony.

1. For perpetuating Testimony in certain Cases, 5 & 6 *Vict.* c. 69.
2. Bills in Chancery to perpetuate Testimony may be filed by Persons claiming Honours, Titles, &c., contingent on future Events, § 1.
3. Attorney General to be Party Defendant in all such Suits in which the Queen may have any Estate or Interest, § 2.

Personal Acts, See Local and Personal Acts.

Police, See Parish Constables.

Poor.

1. To continue, until the First Day of *October* One thousand eight hundred and forty-three, the Exemption of Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor, 5 & 6 *Vict. c.* 50. [Further continued to 1st *October* 1844 by 6 & 7 *Vict. c.* 48.]
2. To continue until the Thirty-first Day of *July* One thousand eight hundred and forty-seven, and to the End of the then next Session of Parliament, the Poor Law Commission; and for the further Amendment of the Laws relating to the Poor in *England*, 5 & 6 *Vict. c.* 57.
3. Poor Law Commissioners, &c. continued, § 1.
4. Not more than Nine Assistant Commissioners to act in *England*. Professional Persons, not being Assistant Commissioners, may be appointed to make special Inquiries. Such Persons, previously to acting, to take the following Oath. In special Inquiries on Charges of Misconduct the Persons may be heard by Counsel, § 2.
5. General Rules not to be altered by particular Rules, without the Consent of the Secretary of State, § 3.
6. Time of Operation of certain Rules and Orders in Cases of Urgency, § 4.
7. Guardians, &c. may set occasional Poor to work. Penalty for not doing Work, § 5.
8. Guardians to have the like Powers as Overseers with regard to Lunatics, § 6.
9. Where Parish more than Four Miles from the Place of Meeting of Guardians it may be formed into a District for Purposes of Relief, § 7.
10. Determination of Disputes as to the Election, &c. of Guardians, § 8.
11. Resignation of Candidates, § 9.
12. Continuance of Guardians in Office, § 10.
13. Commissioners may accept Resignation of any Guardian, and may order new Election, § 11.
14. In case of Vacancy, remaining Guardians to act, § 12.
15. *De facto* Guardians, § 13.
16. Paid Officers and others incapable of serving as Guardians, § 14.
17. *Ex officio* Guardians not incompetent to act as Justices, § 15.
18. Corporate Powers of Board of Guardians, § 16.
19. Mode of Application to Justices, &c. by Boards of Guardians. Guardians may authorize their Officers to take legal Proceedings, § 17.
20. Construction, § 18.
21. Act limited to *England* and *Wales*, § 19.
22. Schedule. Form. Annual Return.

See *Forest of Dean; Parish Debts; Public Works and Fisheries.*

Portugal, See Slave Trade, 130.

Portuguese Vessels, See Slave Trade, 45.

Possessions abroad.

1. To amend the Laws for the Regulation of the Trade of the *British* Possessions abroad, 5 & 6 *Vict. c.* 49.
2. Commencement of Act, § 1.
3. Duties under 4 *G.* 3. *c.* 15., 6 *G.* 3. *c.* 52., and 14 *G.* 3. *c.* 88. repealed, § 2.
4. Prohibitions established by Possessions Act repealed, § 3.
5. Establishing Prohibitions as *per* Table, § 4.
6. Coffee, Sugar, and Rum may be imported into the *British* Possessions in the *West Indies* and *South America*, and the *Mauritius*, in certain Cases, § 5.
7. Repeal of certain Duties imposed by the Possessions Act, § 6.
8. Import Duties imposed, § 7.
9. Exemptions from Duty, § 8.
10. Import Duty on Sugar refined in Bond, § 9.
11. Duties imposed by this Act to be increased in certain Cases, to preserve the same Amount of differential Duty, § 10.
12. Power to Her Majesty, by Order in Council, to exempt certain Articles from Duty, § 11.
13. Duties how to be levied, § 12.
14. Currency, Weights and Measures. Fractional Quantities, § 13.
15. Net Produce of Duties how to be applied, § 14.
16. Goods from the Channel Islands, § 15.
17. Collection of Duties in the *British* Possessions legalized in certain Cases, § 16.
18. Imperial and Colonial Duties to be levied in full in certain *British* Possessions in *America*, § 17.

See *Customs*, 58, 59, 93, 98.

Pound-breach.

1. To amend the Law relating to Pound-breach and Rescue in certain Cases, 6 & 7 *Vict. c.* 30.
2. Persons releasing or attempting to release Cattle impounded, or damaging any Pound, &c., upon Conviction before Two Justices to forfeit 5*l.* and Expences, and in default of Payment to be imprisoned, § 1.
3. Justices not to hear Cases where Questions of Title arise, or as to any Bankruptcy, &c., § 2.
4. Summonses may be issued against Offenders, who, on Proof on Oath of One or more Witnesses before Two Justices, shall be convicted in Penalty and Costs, § 3.
5. Offenders may be apprehended by Warrant of a Justice, § 4.

Princess Augusta of Cambridge, See Queen and Royal Family, 24.

Prisons.

1. For establishing a Prison at *Pentonville*, 5 & 6 *Vict. c.* 29.
2. *Pentonville* Prison to be used as a Prison for Offenders specified in the Act, § 1.
3. Prison to be exempt from Rates and Taxes, § 2.
4. Provisions for Confirmation of Title, § 3.
5. Jury to ascertain the Value to be paid, § 4.
6. Appointment of Commissioners for governing the Prison, § 5.
7. Appointment of Officers, § 6.
8. Secretary of State may require Security from Officers, § 7.
9. For ousting dismissed Officers, § 8.
10. Commissioners to have the same Powers as Visiting Justices; and may make Rules for their Meetings, and for the Government of the Prison, subject to Approval of Secretary of State, § 9.

11. Commissioners to appoint Visitors from among themselves, § 10.
12. Commissioners to be a Body Corporate, § 11.
13. Commissioners empowered to contract for Clothing, Diet, &c., § 12.
14. Commissioners shall make Reports to the Secretary of State, to be laid before both Houses of Parliament, § 13.
15. Offenders under Sentence of Transportation may be removed to *Pentonville* Prison, § 14.
16. Reception of Convicts, § 15.
17. Terms of Imprisonment in *Pentonville* Prison, § 16.
18. Discharge of Convicts, § 17.
19. Hours of Work, § 18.
20. None but Officers to enter any of the Apartments of the Prison, § 19.
21. Governor to have the same Power over Prisoners in his Custody as the Sheriff and Gaoler, § 20.
22. Convicts Punishment for assaulting Governor or other Officers, § 21.
23. Convicts may be removed from the Prison as incorrigible, § 22.
24. Commissioners to report insane Convicts for Removal, § 23.
25. Punishment of Convicts for breaking Prison, § 24.
26. And of Persons rescuing or attempting to rescue Prisoners, § 25.
27. And of Officers, &c. for furnishing Convicts with prohibited Articles, § 26.
28. Penalty for false Evidence, § 27.
29. Mode of Trial and Conviction, § 28.
30. Expences of executing this Act to be laid before Parliament, § 29.
31. For Protection of the Commissioners and Governor, § 30.
32. Limitation of Actions, § 31.
33. To amend the Laws concerning Prisons, *5 & 6 Vict. c.* 98.
34. Confirmation of Title to Lands, &c. taken for the Purposes of Prisons, &c., § 1.
35. Jury to ascertain the Value to be paid, § 2.
36. The Borough Council may borrow Money for building Prisons, § 3.
37. Exchequer Loan Commissioners may grant Loans, § 4.
38. Power of Mortgage, § 5.
39. Gaol Rate to be made and raised in the same Manner as Borough Rate, § 6.
40. Parishes, &c. partly within the Borough, § 7.
41. Corporations and others empowered to sell and convey Lands, § 8.
42. 4 *G.* 4. *c.* 64. in part repealed, § 9.
43. Extending the Period for the Repayment of Loans in Counties, § 10.
44. Justices, on Presentment, may provide more than One Gaol, § 11.
45. Amending the *Parkhurst* Prison Act, 1 & 2 *Vict. c.* 82. —§ 12.
46. Extending the Power of holding Land for Prisons, § 13.
47. Contracts may be made with Committees of District Prisons, § 14.
48. Gaol and House of Correction to be provided for every Borough having separate Courts of Sessions of the Peace, except as to District Prisons, § 15.
49. 1 *G.* 2. *c.* 20. in part repealed, § 16.
50. Repeal of any Enactment authorizing Agreement to be made at Quarterly Meeting of Council, § 17.
51. Expence of Borough Prisoners in County Prisons to be paid by the Borough, § 18.
52. Expences of Prosecution of such Prisoners how to be defrayed, § 19.
53. Expences of Conveyance and Maintenance of such Prisoners how to be paid, § 20.
54. An Account of such Expences to be rendered, § 21.
55. Such Boroughs to be freed from County Rate, § 22.
56. Invalidity of Grant of Sessions of the Peace not to alter Liability, § 23.
57. Act not to affect the Validity of Charters, § 24.
58. Penalty for Assaults on Prison Officers, § 25.
59. Examination previous to Reception of Convicts at *Millbank* Penitentiary, § 26.
60. Admiralty Prisoners under Sentence of Court-martial, § 27.
61. Place of Confinement of Admiralty Prisoners may be changed, § 28.
62. Subsistence of Admiralty Prisoners, § 29.
63. Superannuation Allowances to Officers of Prisons, § 30.
64. Sheriffs liable in Damages only for Escapes; not to receive Poundage, § 31.
65. Interpretation of Act, § 32.
66. Act to extend to *England* only, § 33.
67. Schedule.
68. For regulating the Prison at *Millbank*, 6 & 7 *Vict. c.* 26.
69. Recited Acts repealed, § 1. [See *Statutes repealed*, § VI.]
70. Lands and Buildings vested in Her Majesty, § 2.
71. Enactment as to *Millbank* Prison, § 3.
72. Prison to be exempt from Rates and Taxes, § 4.
73. Appointment of Officers, § 5.
74. Secretary of State may require Security from any Officer, § 6.
75. For ousting dismissed Officers, § 7.
76. Inspectors to have the same Powers as Visiting Justices, § 8.
77. Inspectors to visit the Prison, § 9.
78. Inspectors to be a Body Corporate, with Power to make Contracts, § 10.
79. Inspectors to report to the Secretary of State. Reports to be laid before Parliament, § 11.
80. Offenders under Sentence of Transportation may be removed to the *Millbank* Prison, § 12.
81. Reception of Convicts, § 13.
82. Terms of Imprisonment, § 14.
83. Discharge of Convicts, § 15.
84. Hours of Work, § 16.
85. None but privileged Persons and Officers to enter any of the Apartments of the Prison, § 17.
86. Governor to have the same Power over Prisoners in his Custody as a Sheriff or Gaoler, § 18.
87. Convicts Punishment for assaulting Governor or other Officers, § 19.
88. Convicts may be removed from the Prison as incorrigible, § 20.
89. Insane Convicts to be removed to Lunatic Asylums, § 21.
90. Punishment of Convicts for breaking Prison, § 22.
91. Punishment of Persons rescuing or assisting the Rescue of Prisoners, § 23.
92. Punishing Officers, &c. for furnishing Convicts with prohibited Articles, § 24.
93. Penalty for false Evidence, § 25.
94. Mode of Trial and Conviction, § 26.
95. Expences of executing this Act, § 27.
96. Protection of Inspectors and Governor, § 28.
97. Limitation of Actions, § 29.

See *District Courts; Queen's Bench Prison.*

Privy Council.

1. To make further Regulations for facilitating the hearing Appeals and other Matters by the Judicial Committee of the Privy Council, 6 & 7 *Vict. c.* 38.
2. Appeals, &c. may be heard by not less than Three Members of the Judicial Committee of the Privy Council under a special Order of Her Majesty, § 1.
3. Powers of the Judicial Committee and their Surrogates in respect to Appeals from Ecclesiastical and Admiralty Courts, § 2.
4. Surrogates and Examiners in Ecclesiastical and Admiralty Appeals, § 3.
5. Past Proceedings of Surrogates of the Judicial Committee valid, notwithstanding certain Informalities, § 4.
6. Manner of conducting Appeals before the Judicial Committee, § 5.
7. So much of 2 & 3 *W.* 4. *c.* 93. as empowers the Judicial Committee and His Majesty in Council to punish Contempts, &c. repealed, § 6.
8. Punishing Contempts, compelling Appearances, enforcing Judgments, &c. in Causes of Appeal, § 7.
9. Orders, &c. may be enforced by Sequestration against certain Persons pronounced contumacious and in Contempt, § 8.
10. Inhibitions, &c. to be in Her Majesty's Name, and of force throughout the *British* Dominions, § 9.
11. Monitions for Payments into the Registry of the Admiralty Court under Orders, &c., § 10.
12. All Appeals from Ecclesiastical and Admiralty Courts may be referred to the Judicial Committee by an Order in Council, § 11.
13. Costs may be awarded by the Judicial Committee, and taxed, § 12.
14. Appointment of Registrar and Assistant Registrar in Ecclesiastical and Maritime Causes, § 13.
15. Custody of Records, &c. of the Court of Delegates and Appeals, § 14.
16. Judicial Committee empowered to make Rules, &c. respecting Practice and Mode of proceeding in Appeals, &c. Proviso, § 15.
17. Judicial Committee of Privy Council to proceed with Causes depending before late High Court of Delegates, § 16.
18. Definition of Terms, § 17.

Promissory Notes, See Bills of Exchange.

Property Tax.

1. For granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, until the Sixth Day of *April* One thousand eight hundred and forty-five, 5 & 6 *Vict. c.* 35.
2. Duties to be levied under the Act, § 1. (See Schedules.)
3. Duties on fractional Parts, § 2.
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64. (No. III.) Manner of charging certain other Properties. Quarries. Mines. Ironworks, &c. Duty in last Three Rules how to be charged. Duty on Mines to be charged on the Company jointly, but any Adventurer may claim to be charged separately, in order to set off his Loss in one Concern against his Profits in another.
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66. Lands in the same Occupation to be charged according to the Parishes. Proportions in each Parish and belonging to distinct Owners to be stated. Lands in different Parishes to be charged in either where the Proportions cannot be ascertained.
67. Houses under 10*l.* charged on Landlords.
68. Tithes may be charged on Occupiers of Land.
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161. Commissioners for General Purposes may call upon the Party to verify their Answers on Examination upon Oath, § 124.

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223. Recovery of Penalties and Duties, § 185.
224. Monies arising from the Duties to be paid into the Bank of *England*, and transferred to the Credit of the Exchequer. Treasury to settle Allowances for Commissioners, Surveyors, and other Officers, and to discharge incidental Expences, § 186.
225. No Person to be exempt by Letters Patent, § 187.
226. Provisions applied to one Schedule may extend to another in charging Duty, § 188.
227. Schedule (F.) to be deemed Part of this Act. Oath to be taken by Commissioners acting in respect of the Duties contained in Schedule (D.) Oath to be taken by Inspectors and Surveyors. Assessors Oath. Oath for Collectors and Officers for Receipt. Clerks Oath, § 189.
228. Schedule (G.) and the Rules therein to be observed in executing the Act. *Schedule* (G.) *Rules.*—By Occupiers of Lands, &c., charged under Schedules (A.) and (B.) By Lay Impropriators and Ecclesiastical Persons, under Schedule (A.) By Corporations, &c. under Schedule (A.) By Lords of Manors, under Schedules (A.) By Receivers of Fines, under Schedule (A.) By Profits from Lands, &c., under Schedule (A.) By Persons carrying on Trade, charged under Schedule (D.); or exercising Professions; or entitled to Profits of uncertain Values; or receiving Interest from Foreign Securities, or Profits from Foreign Possessions; or any other Profits charged under Schedule (D.) Declaration in respect of Duty under Schedule (D.) Statement of Profits not chargeable where the Office is held. General Declarations. List and Declaration in relation to Duties chargeable in others. Lists, Declarations, &c. in order to obtain Exemptions, § 190.
229. What Number of Commissioners competent to execute any of the Powers given by this Act, § 191.
230. Construction of Act, § 192.
231. Commencement and Continuance of Act, § 193.

See *Assessed Taxes*, 8, 11.

Prussia, See Slave Trade, 103.

Public Houses.

1. For the Transfer of Licences and Regulation of Public Houses, *5 & 6 Vict. c.* 44.
2. Empowering Transfer of Licences by Justices at Petty Sessions. Proviso as to Metropolitan Police District, § 1.
3. When Licences are lost a Copy may be endorsed and considered valid, § 2.
4. Fee for endorsing the Copy, § 3.
5. Disqualified Justices not to act at Petty Sessions, § 4.
6. No Wines, &c. to be sold on board any Boats or Vessels moored or lying at anchor during the Time when prohibited to be sold at Public Houses, § 5.
7. Act not to extend to Universities of *Oxford* and *Cambridge*, § 6.

Public Works and Fisheries.

1. To authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor; and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes, *5 & 6 Vict. c.* 9.
2. Acts recited. 360,000*l.* to be charged upon Consolidated Fund by Issues not exceeding 90,000*l. per* Quarter, § 1.
3. Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be opened at the Bank of *England* for the Purpose, § 2.
4. Bank to open an Account with the Commissioners for executing this Act, § 3.
5. Money paid into Bank to Account of Commissioners for executing this Act to make Part of the Consolidated Fund, § 4.
6. Commissioners for executing recited Acts to be Commissioners for executing this Act, § 5.
7. Commissioners to sign Declaration, § 6.
8. Amount of Monies advanced under the Act to be certified to Commissioners for Reduction of National Debt, § 7.
9. Commissioners for the Reduction of National Debt to furnish annual Account of Fund for Audit, § 8.
10. Appointment of Clerks and Officers by the Commissioners for the Reduction of the National Debt, and for defraying Expences attending the Execution of this Act by the said Commissioners, § 9.
11. Commissioners may issue Money for defraying Expence of executing recited Acts and this Act, § 10.
12. Commissioners may make Advances to Persons engaged in Public Works, § 11.
13. And may make Advances to Guardians of Unions or other Persons authorized by *1 & 2 Vict. c.* 56. to borrow, for building, fitting, and furnishing Workhouses in *Ireland*, § 12.
14. And may grant Loans to any Persons or Companies in *Ireland*, under the Conditions contained in the recited Acts and this Act, § 13.
15. Powers, &c. of recited Acts as to Advances to have the same Force as if re-enacted in this Act, § 14.
16. Mortgages, &c. to be in such Form as Commissioners shall direct, § 15.
17. Power for Secretary of Commissioners to grant Leases, under their Order and Direction, § 16.

18. Power

18. Power for Commissioners to accept Payment of Loans or Portion of Loans, and to direct the Release or Transfer of corresponding Interest in the Securities, § 17.
19. Power for Commissioners to concur in Leases, Sales, and other Dispositions of mortgaged Property, § 18.
20. Power for Commissioners to retain the whole of the Mortgage Debt or Charge out of Purchase Monies, notwithstanding some of the Instalments of Principal may not have actually become due and payable at the Time of Sale, &c., § 19.
21. Sales, &c. by Commissioners to be binding on Mortgagors, &c. § 20.
22. Commissioners may sell Materials of Works in certain Cases, § 21.
23. Construction of Act, § 22.

Punishment of Death, See Crimes and Misdemeanors.

Q.

Queen and Royal Family.

1. To enable His Royal Highness *Albert Edward* Prince of *Wales* to make Leases and Grants of Land and Hereditaments, Parcel of His said Royal Highness' Duchy of *Cornwall*, or annexed to the same; and for the other Purposes therein mentioned, *5 & 6 Vict. c. 2.*
2. All Leases, &c. granted by His Royal Highness the Prince of *Wales* declared valid, § 1.
3. Conditions and Duration of Leases, § 2.
4. Leases for Buildings, Cultivation of Wastes, or working Minerals, § 3.
5. Covenants in Leases as effectual as if His Royal Highness was possessed of an absolute Estate, § 4.
6. Saving of Rights, § 5.
7. Her Majesty during the Minority of His Royal Highness to exercise the Rights and Powers of His Royal Highness, § 6.
8. For providing for the further Security and Protection of Her Majesty's Person, *5 & 6 Vict. c. 51.*
9. Proceedings against Persons guilty of Attempt against the Person of the Sovereign, § 1.
10. Punishment for discharging or aiming Fire-arms, or throwing or using any offensive Matter or Weapon, with Intent to injure or alarm Her Majesty, § 2.
11. Not to alter the Punishment for High Treason, § 3.
12. For effecting an Exchange between Her Majesty and the Provost and College of *Eton*, *5 & 6 Vict. c. 78.*
13. Her Majesty seised in Fee of the Premises in the Second Schedule. *Eton* College seised in Fee of the Premises in the First Schedule. Maps or Plans of the Lands have been made and signed. Agreement for Exchange. Plans to be deposited in the Land Revenue Record Office, § 1.
14. Lands in First Schedule to vest in the Crown, § 2.
15. Lands in Second Schedule to vest in *Eton* College, § 3.
16. Empowering Provost and College to purchase up the Leases to which the Lands received by them in exchange are now subject, § 4.
17. Court of Chancery may direct Costs to be taxed and paid, § 5.
18. Power of Re-entry to the Crown in case of Eviction, § 6.
19. Power of Re-entry to the College in case of Eviction, § 7.
20. Costs of obtaining the Act to be paid by the Crown, § 8.
21. General Saving of Rights, § 9.
22. Provisions of the Act *5 & 6 Vict. c. 20.* extended to the Lands mentioned in the First Schedule to this Act, § 10.
23. Power to alter and stop up Roads, and make other Roads, § 11.
24. To enable Her Majesty to settle an Annuity on Her Royal Highness the Princess *Augusta Caroline*, eldest Daughter of His Royal Highness the Duke of *Cambridge*, *6 & 7 Vict. c. 25.*
25. Her Majesty may grant an Annuity of 3,000*l.* to Princess *Augusta Caroline*, to take effect from the Decease of His Royal Highness the Duke of *Cambridge*, § 1.

See *Offenders in Foreign Countries.*

Queen's Bench (Court of).

1. For abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office, *6 & 7 Vict. c. 20.*
2. The Queen's Coroner and Attorney, One Master and One Assistant Master, to be the only Officers of the Court; all other Offices abolished, § 1.
3. Three Officers appointed. Such Clerks and Messengers as are necessary to be appointed, § 2.
4. Appointment of future Officers in case of Vacancy. Restriction as to filling up Vacancies, § 3.
5. Officers to be appointed without pecuniary Consideration during good Behaviour, and the Clerks and Messengers during Pleasure, § 4.
6. In Cases of Sickness or Absence of Officers, § 5.
7. Persons appointed not to practise elsewhere, § 6.
8. Salaries of Officers; to commence on 1st *January* 1844, § 7.
9. Salaries to certain Officers in lieu of Compensation Allowances, § 8.
10. Salaries of Clerks and Messengers to be fixed by the Lord Chief Justice and the Commissioners of the Treasury, § 9.
11. How Salaries of Officers, &c. to be paid, § 10.
12. Officers not to take Gratuities on pain of Dismissal, § 11.
13. Queen's Coroner and Attorney, and Master, to keep Accounts of Fees and Disbursements, and to render same quarterly to Commissioners of the Treasury, § 12.
14. Allowances on Retirement from Office, § 13.
15. What Persons shall be allowed to practise in the Court, § 14.
16. Lord Chief Justice, &c. to establish a Table of Fees; but no Fees to be demanded in respect of Proceedings directly at the Suit of Her Majesty, § 15.
17. Lord Chief Justice, &c. to make Rules, &c. for Care and Custody of Records, and issuing Writs, &c., § 16.
18. The Queen's Coroner and Attorney, Master and Assistant Master, to perform the Duties of the Officers abolished. The Queen's Coroner to receive Monies and account for Fines, &c. as heretofore, § 17.
19. *John Oliver Jones* entitled to Compensation for Loss of his reversionary Interest in respect to the Office of Clerk in Court, § 18.

Queen's Bench Prison.

1. For consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, and for regulating the Queen's Prison, *5 & 6 Vict. c. 22.*

2. The Queen's Bench Prison to be called the Queen's Prison, and to be the only Prison for Debtors, Bankrupts, &c. instead of the Queen's Bench, Fleet, and Marshalsea Prisons. Proviso, § 1.
3. Prisoners to be removed by Warrant of Lord Chief Justice of Queen's Bench, § 2.
4. Abolition of Offices of Fleet and Marshalsea Prisons, § 3.
5. Officers whose Offices are abolished may make Claim for Compensation, § 4.
6. Salaries now paid out of Civil List to be retained as Part of the Consolidated Fund, § 5.
7. Discontinued Prisons declared to be vested in the Crown, § 6.
8. Enactments respecting the Fleet and Marshalsea to apply to the Queen's Prison, § 7.
9. Sums payable for the Relief of poor Prisoners to the Treasurer of the County of *Surrey* and Chamberlain of the City of *London* under 53 *G.* 3. *c.* 113. to be paid to the Keeper of the Queen's Prison, § 8.
10. So much of 53 *G.* 3. *c.* 113. as provides for the Administration of the Relief to Prisoners in Execution, and the accounting for the Monies received for that Purpose, repealed. Keeper of the Queen's Prison to account, § 9.
11. Appropriation of charitable Gifts and Bequests, § 10.
12. Prisoners Fees abolished, § 11.
13. Abolition of the Liberty of the Rules, § 12.
14. No Fees or Stamp Duties to be paid on Securities for granting Liberty of Rules to certain Fleet Prisoners, § 13.
15. Lunatic Prisoners to be removed to *Bethlehem* Hospital, § 14.
16. Removal of Prisoners in Cases of contagious Diseases or Emergency, § 15.
17. Rules for Government of Queen's Prison to be made by Secretary of State, § 16.
18. Classification of Prisoners, § 17.
19. Regulation as to Supply of Food, Liquor, and Necessaries, § 18.
20. Inquests within the Prison, § 19.
21. Clerk of the Papers to take Affidavits, § 20.
22. Repeal of so much of 27 *G.* 2. *c.* 17. as requires the Marshal to keep the Prison in repair, § 21.
23. Appointment and Removal of Officers, § 22.
24. Appointment of Tipstaffs, § 23.
25. Amount of Salaries, § 24.
26. Salaries how to be paid, § 25.
27. Salaries and Allowances to be defrayed from the Consolidated Fund, § 26.
28. Officers of the Queen's Prison to be within the Provisions of 4 & 5 *W.* 4. *c.* 24.—§ 27.

R.

Railways.

1. For the better Regulation of Railways, and for the Conveyance of Troops, 5 & 6 *Vict. c.* 55.
2. Commencement of Act, § 1.
3. 3 & 4 *Vict. c.* 97. and this Act to be construed together, § 2.
4. Notice before opening Railway repealed, § 3.
5. Notice of intended opening of Railway, § 4.
6. If Railway opened without Notice, Company to forfeit 20*l.*, § 5.
7. Board of Trade empowered to postpone the opening, § 6.
8. Notice of Accidents to be given to the Board of Trade, § 7.
9. Board of Trade empowered to direct Returns, § 8.
10. Gates at level Crossings to be kept closed across the Road. Proviso, § 9.
11. Railway Companies to erect and maintain Fences, § 10.
12. Disputes between connecting Railways to be decided by the Board of Trade, § 11.
13. Powers of making Branch Communications with Railways, and of entering upon them with locomotive Engines, to be regulated by the Board of Trade. Defining a Passenger Railway, § 12.
14. Alteration of dangerous level Crossings, § 13.
15. Power for Railway Companies to enter upon adjoining Lands to repair Accidents, § 14.
16. Compulsory Powers of taking Land for the Purposes of Railways extended, where thought necessary for Safety by the Board of Trade, § 15.
17. Carriages of greater Weight than Four Tons may be used on Railways, § 16.
18. Punishment of Persons employed on Railways guilty of Misconduct, § 17.
19. Sheriffs to have Jurisdiction in *Scotland*, § 18.
20. Communications to and from the Board of Trade, and Service of Notices, &c. on Railway Company, § 19.
21. Railway Companies shall convey Military and Police Forces at Prices to be settled, § 20.
22. Meaning of the Words "Railway" and "Company," § 21.
23. Application of Penalties, § 22.

See *Stamp Duties*, 1.

Rates.

1. To exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies, 6 & 7 *Vict. c.* 36.
2. Scientific Societies exempted from Rates upon obtaining the Certificate herein-after mentioned, § 1.
3. Scientific Societies to cause Three Copies of their Rules of Management to be submitted to the Barrister or Person appointed to certify the Rules of Friendly Societies, &c. One certified Copy to be returned to the Society; one to be retained by the Barrister; and the other transmitted to the Clerk of the Peace, § 2.
4. Certain Alterations made in the Rules to be certified and deposited in like Manner. In case of Refusal to certify, § 3.
5. Fee to be paid to the Barrister or Lord Advocate, § 4.
6. Provision in Cases where Certificate is refused, § 5.
7. Appeal to Quarter Sessions, § 6.

See *Poor*.

Recoveries, See Fines and Recoveries.

Registration.

1. To amend the Law for the Registration of Persons entitled to vote, and to define certain Rights of voting, and to regulate certain Proceedings in the Election of Members to serve in Parliament for *England* and *Wales*, 6 & 7 *Vict. c.* 18.
2. *Counties.* Certain Provisions of 2 & 3 *W.* 4. *c.* 45. repealed, § 1.
3. Commencement of Act, § 2.
4. Clerk of the Peace to have Forms of Precepts, &c., printed. Clerk of the Peace to issue his Precepts, with Forms of Notices, &c. to Overseers, § 3.

5. Overseers to give Notice annually, requiring Voters to send in their Claims, § 4.
6. Overseers to prepare Lists of Claimants. Overseers empowered to object to any Name, to add the Word "dead" against any Name, to publish Copies of List of Claimants, &c., and to keep Copies of same for Inspection and Sale, § 5.
7. List of Claimants and Part of Register relating to any Parish to be deemed List of Voters of such Parish, § 6.
8. Any Person on the Register may object to any other Person named in the List as not entitled to be upon it. Notice of Objection to be given to the Overseers, and also to the Party objected to, § 7.
9. List of Persons objected to to be published, § 8.
10. Lists, &c. to be delivered to the Clerk of the Peace, § 9.
11. *Cities and Boroughs.* Town Clerk to have Forms of Precepts, &c. printed. To issue his Precept to the Overseers, § 10.
12. Overseers to give public Notice as to the Payment of Rates and Taxes by Occupiers of Premises of the yearly Value of 10*l.*, § 11.
13. Overseers to have Power of inspecting Tax Assessments, &c. Assessors or Collectors of Taxes to deliver to Overseers a List of Persons in arrear of Taxes payable at *April* last past, § 12.
14. Overseers to prepare and publish Lists of Persons (other than Freemen) entitled to vote. Copies of Lists to be kept for Inspection and Sale, § 13.
15. Town Clerks to prepare and publish the Lists of Freemen, § 14.
16. Persons omitted from the Borough Lists to give Notice of their Claims. Lists of Claimants to be made, § 15.
17. Registered Electors and Claimants may inspect Rate Books, § 16.
18. Persons named in the List may object to others as not being entitled to be in the List. Notice of Objection to be given to the Overseers, or to the Town Clerk, and also to the Person objected to, § 17.
19. List of Persons objected to to be made. Such Lists, and the Lists of Claimants, to be published. Copies of Lists and Notices of Objection to be kept for Inspection, § 18.
20. Overseers to deliver Copies of Lists to the Town Clerk, § 19.
21. Freemen and Liverymen of the City of *London*, § 20.
22. Freeholders in *Horsham* and *Malmesbury* entitled to vote for *New Shoreham* and *Cricklade*, where to be registered, § 21.
23. Provision as to Places having no Overseers, § 22.
24. *Counties, Cities, and Boroughs.* What shall be Publication of Notice, § 23.
25. Time for which Publication shall be, § 24.
26. Penalty for hindering Publication, § 25.
27. List not invalidated by imperfect Publication, § 26.
28. If no List made out or published, former List to be in force, § 27.
29. Lord Chief Justice and Judges of Assize to appoint Barristers for revising Lists, § 28.
30. Judges to appoint additional Barristers in case of Need, § 29.
31. Barristers may hold separate Courts, § 30.
32. Barrister to notify his Appointment to Clerk of the Peace and Town Clerks, who are to transmit to him Abstracts and Lists, § 31.
33. Barristers to hold Courts for revising Lists of Voters for Counties within a certain Period, and to give Notice of the Times and Places of holding such Courts to Clerk of the Peace, who is to give Notice thereof by Advertisement, and to the Overseers, § 32.
34. Barristers to hold Courts for revising the Lists of Voters for Boroughs, and give Notice thereof to the Town Clerk, who is to publish the same, § 33.
35. Clerk of the Peace to attend the first Court, and Overseers to attend the Courts for their respective Districts and Parishes, and produce Lists of Voters, and answer Questions, § 34.
36. Town Clerks, Overseers, and, in *London*, Secondaries and Clerks of Companies to attend the Courts to produce Lists and answer Questions, &c. Power of Barrister to require Attendance of Overseer of past Year, and Assessor and Collector, &c. of Taxes, who shall answer upon Oath all Questions put to them, § 35.
37. Voters residing out of the Polling District to which the Parish wherein their Qualification is situate belongs may vote in another Polling District, on making a Claim before the Revising Barrister, § 36.
38. Barrister to have Power to insert in the County Lists the Names of Claimants omitted by the Overseer, on Proof of Claim and Qualification, § 37.
39. Power of Barrister to insert Names in Lists of Borough Voters, § 38.
40. Any Person on List of Voters may object to Claimants, § 39.
41. Corrections which may be made by Barrister in the Register. No Change to be made of the Qualification stated in the Lists. Mode of proceeding in Cases of Objection. Provision in certain Cases of Change of Abode, § 40.
42. Power of Revising Barristers to adjourn their Courts, administer Oath, &c. Persons swearing falsely guilty of Perjury. Barrister in open Court to decide upon Validity of Claims and Objections, § 41.
43. Appeal from Revising Barrister's Decision on Points of Law. Revising Barrister to prepare a Statement of Facts. Appellant to make a Declaration in Writing. Revising Barrister to endorse on Statement the Names of Parties, &c., and deliver a Copy to either Party requiring it, § 42.
44. Who shall be Respondent on Appeal, § 43.
45. Power to consolidate Appeals. Overseers or Town Clerk may be named as Respondents, § 44.
46. Consolidated Appeals to be conducted as any single Appeal. Agreement for Contribution to Costs of consolidated Appeal may be made a Rule of Court. If consolidated Appeal not duly prosecuted or answered, the Court, or a Judge may give Conduct of it or of the Answer to other Persons. If Party interested shall refuse to be a Party, &c., § 45.
47. Power to Barrister to give Costs in certain Cases to Parties claiming or objecting, § 46.
48. County Lists to be transmitted to Clerk of the Peace, and to be by him copied into a Book. Clerk of the Peace to sign and deliver a Copy to the Sheriff, § 47.
49. Borough Lists to be delivered to the Town Clerks, and copied into a Book. Town Clerks to sign and deliver same to Returning Officers, § 48.
50. Books to be the Register of Voters for One Year. Copies of Registers to be printed for Sale, § 49.
51. Assessors and other Officers neglecting to attend when summoned by Revising Barrister, liable to be fined, § 50.
52. Power to Barristers to fine Overseers for Neglect of Duty, § 51.
53. Fines, to whom payable, and to what Purpose to be applied, § 52.

54. Clerk of the Peace and Town Clerk to account for and pay over all Monies received by them, § 53.
55. Expences of Clerks of the Peace, how to be defrayed, § 54.
56. Expences of Town Clerks and Returning Officers, how to be defrayed, § 55.
57. Meaning of the Words "Town Clerk," in certain Cases, § 56.
58. Expences of Overseers, how to be defrayed, § 57.
59. No Payment by Persons making Claim in Counties; or by Persons on Register in Cities, &c., § 58.
60. Remuneration of Revising Barristers, § 59.
61. Appeals to be heard by the Court of Common Pleas, § 60.
62. Barristers to have equal Right of practising with Sergeants, § 61.
63. Notice of Appeal to be given by Appellant. Appeals to be entered in a Book, § 62.
64. Court to give Notice of the Time and Place of hearing Appeals, § 63.
65. No Appeal to be entertained unless Notice given, § 64.
66. No Appeal on Questions of Fact or the Admissibility of Evidence. Court may remit Case to Revising Barrister, § 65.
67. Decisions of Court to be final, § 66.
68. Decisions of Court to be notified to the Sheriff or Returning Officer, and Register to be altered conformably, § 67.
69. Copies of Decisions on Appeals to be admissible in Evidence, § 68.
70. Appeal pending not to affect Right of Voting. No Decision after Election to affect the Result of such Election, § 69.
71. Court of Appeal may give Costs, § 70.
72. Costs and Fines to be recovered by Distress and Sale of the Parties Goods. No Certiorari allowed, § 71.
73. 3 *G.* 3. *c.* 24. repealed, § 72.
74. Right of Voting in Counties by Occupiers of not less than 50*l.* Successive Occupation. Joint Occupiers may vote, § 73.
75. Provision as to Trust and Mortgage Estates, § 74.
76. Right of Voting in Boroughs by Occupiers of Houses, &c. of the annual Value of 10*l.* Not to vote unless rated to the Poor Rate. Inaccurate Description in Rate not to prevent Persons being registered, § 75.
77. How Distances to be measured, § 76.
78. Freeholders in *New Shoreham*, *Cricklade*, &c., need not be assessed to Land Tax, § 77.
79. When certain Rights of Voting in Boroughs are retained, § 78.
80. Register to be conclusive Evidence of the Voter's retaining the same Qualification. Proviso. In Cities and Boroughs, a continued Residence required till the Time of polling, § 79.
81. Clause as to putting Questions at the Poll repealed, § 80.
82. No Inquiry at Time of Election, except as to Identity of the Voter, and whether he has already voted. Oath to be taken if required, § 81.
83. No other Oath to be taken. No Scrutiny to be allowed, § 82.
84. Persons personating Voters to be guilty of a Misdemeanor, § 83.
85. Aiders and Abettors to be punished as Principals, § 84.
86. Agents may be appointed by Candidates to detect Personation at the Time of polling, § 85.
87. Returning Officer may order Persons charged with Personation to be taken into Custody. Vote not to be rejected if Questions answered in the Affirmative, § 86.
88. Persons charged with Personation to be taken before Two Justices. Bail to be taken in certain Cases, § 87.
89. If Justices are satisfied that the Person charged has been guilty of Personation, they are to commit him for Trial, § 88.
90. If Justices are satisfied that the Charge is unfounded, they are to order Compensation. If Party falsely charged accepts Compensation, no Action to be brought, § 89.
91. Sheriffs and Returning Officers to provide Constables, § 90.
92. Duty of Returning Officer where Vote has been received, and another Party tenders in respect of same Qualification, § 91.
93. Liverymen of *London* to poll in the Guildhall, § 92.
94. For providing for the safe Custody of Poll Books, § 93.
95. Office Copies of Poll Books to be received in Evidence in Courts, § 94.
96. Clerk of the Crown to preserve Poll Books, and deliver Office Copies, if required, § 95.
97. And to produce them before Election Committee, if required, § 96.
98. Parties wilfully contravening the Act liable to an Action for Debt, § 97.
99. Power to Committees on Election Petitions to decide as to Right of Voting, § 98.
100. Where no Returning Officer in Cities or Boroughs, Sheriff may act as Returning Officer, § 99.
101. Notice of Objection may be sent by the Post, § 100.
102. Interpretation Clause. Meaning of the Word "County:" "City or Borough:" "Clerk of the Peace:" "Town Clerk:" "Barrister:" "Returning Officer:" "Parish or Township:" "Overseers" or "Overseers of the Poor." Provision as to Service of Notices. Justices, Sessions, Clerks of the Peace, and Treasurers of Counties. Misnomer not to vitiate. "Oath." Singular. Plural, § 101.
103. Schedules.

Regulation of Customs, See Customs, 4—31, 78, 85, 99.

Representation, See Registration.

Rescue, See Pound-breach.

Revenue.

I. Sums borrowed by Annuities, Exchequer Bills, &c.
II. Appropriation Acts.

I. *Sums borrowed by Annuities, Exchequer Bills, &c.*

1. 8,000,000*l.* out of the Consolidated Fund, 5 & 6 *Vict. c.* 8.
2. 9,100,000*l.* by Exchequer Bills, 5 & 6 *Vict. c.* 21.
3. 9,193,000*l.* by Exchequer Bills, 5 & 6 *Vict. c.* 115.
4. 8,000,000*l.* out of the Consolidated Fund, 6 & 7 *Vict. c.* 5.
5. 9,050,000*l.* by Exchequer Bills, 6 & 7 *Vict. c.* 17.
6. 11,132,100*l.* by Exchequer Bills, 6 & 7 *Vict. c.* 87.
7. Better to provide for the Application to the Service of the Year One thousand eight hundred and forty-one of the Sums granted in the Two last Sessions of Parliament, 5 & 6 *Vict. c.* 1.

II. *Appropriation*

II. *Appropriation Acts.*

1. Annual Acts for appropriating the Supplies, *5 & 6 Vict. c.* 121. *6 & 7 Vict. c.* 99.
2. Naval Services, *5 & 6 Vict. c.* 121. § 11. *6 & 7 Vict. c.* 99. § 11.
3. Land Forces, *5 & 6 Vict. c.* 121. § 12. *6 & 7 Vict. c.* 99. § 12.
4. Ordnance Services, *5 & 6 Vict. c.* 121. § 13. *6 & 7 Vict. c.* 99. § 13.
5. Exchequer Bills, *5 & 6 Vict. c.* 121. § 14. *6 & 7 Vict. c.* 99. § 14.
6. Miscellaneous Services, *5 & 6 Vict. c.* 121. § 15—19. *6 & 7 Vict. c.* 99. § 15—22.
7. *Irish* Services, *5 & 6 Vict. c.* 121. § 20, 21.
8. Supplies to be applied only for the Purposes aforesaid, *5 & 6 Vict. c.* 121. § 22. *6 & 7 Vict. c.* 99. § 23.
9. Rules for Application of Half Pay, *5 & 6 Vict. c.* 121. § 23—27. *6 & 7 Vict. c.* 99. § 24—28.
10. Application of overplus Sums, *5 & 6 Vict. c.* 121. § 28. *6 & 7 Vict. c.* 99. § 29.
11. Widows and Persons claiming Pensions to make required Declarations as specified in *5 & 6 W.* 4. *c.* 62. *5 & 6 Vict. c.* 121. § 29, 30. *6 & 7 Vict. c.* 99. § 30, 31.

Rivers, See Canals, &c.; Salmon.

Roasted Malt, See Malt (Roasted).

Russia, See SlaveTrade, 103.

S.

Saint Asaph.

1. For suspending, until the First Day of *October* One thousand eight hundred and forty-three, Appointments to certain Ecclesiastical Preferments in the Dioceses of *Saint Asaph* and *Bangor*; and for securing certain Property to the said Sees, *5 & 6 Vict. c.* 112.
2. Recited Acts, so far as they apply to *Saint Asaph* and *Bangor*, continued to 1st *October* 1843, § 1.
3. Certain Tithes, &c. annexed to the Sees, § 2.

Saint Briavel's (*Hundred of*), See Forest of Dean.

Saint Kitts, See Antigua.

Salmon.

1. To repeal so much of an Act of the First Year of King *George* the First as limits the Time for taking and being restrained from taking Salmon in certain Rivers; and to amend and extend the Provisions of an Act of the Fifty-eighth Year of King *George* the Third to the Rivers therein mentioned, *6 & 7 Vict. c.* 33.
2. So much of 1 *G.* 1. *c.* 18. as fixes Fence Days repealed, § 1.
3. Provisions of 58 *G.* 3. *c.* 43. extended to Rivers mentioned in 1 *G.* 1. *c.* 18.—§ 2.
4. Mode of fixing Fence Days as to Parts of Rivers between or forming Boundary of Two adjoining Counties, § 3.
5. If Justices of any such Two Counties cannot agree, the Justices of next adjoining County to fix the Days, § 4.
6. Offences committed in a River forming a Boundary how to be cognizable, § 5.
7. So much of 58 *G.* 3. *c.* 43. as imposes Penalties for taking, selling, &c. Spawn, Fish, &c., or Fish caught during prohibited Periods, repealed, § 6.
8. Penalty on Persons taking, selling, &c. Spawn, Fish, &c. after Fence Days, § 7.
9. All the Powers, Penalties, &c. of said Acts of 1 *G.* 1. *c.* 18. and 58 *G.* 3. *c.* 43. to apply to this Act, § 8.

Savings Banks (*Military*), See Military Savings Banks.

Scientific Societies, See Rates.

SCOTLAND.

Affidavits, See *General Index*, Affidavits.

Ministers.

1. To remove Doubts respecting the Admission of Ministers to Benefices in that Part of the United Kingdom called *Scotland*, *6 & 7 Vict. c.* 61.
2. Upon Presentation to a Benefice being laid before any Presbytery they may require the Person presented to preach in the Parish Church, and thereupon may meet, after due Notice, to receive or enter Reasons or Objections against him, § 1.
3. Reasons and Objections to be determined by Presbytery, or referred to superior Judicatory of the Church. To what the Presbytery shall have regard in their Determination. If the Presbytery support such Objections they shall issue a Deliverance to that Effect, and Patron may make another Presentation, § 2.
4. If no good Objections against Presentee, Presbytery shall (subject to Appeal) proceed to further Trial, and admit him, if qualified, § 3.
5. No Presentee to be rejected unless Dissent or Dislike be founded upon Objections to be judged of by Presbytery, &c., § 4.
6. Presentee, &c. may appeal to superior Judicatory of the Church from Deliverance of Presbytery, § 5.
7. The Right of Presentees now in possession not to be challenged, although a former Presentee may have been rejected under the Act of General Assembly of *May* 1835, § 6.

Perth.

1. For the better regulating the Number of Prisoners admitted to the General Prison at *Perth*, *5 & 6 Vict. c.* 67.
2. Peremptory Orders for Commitments to *Perth* Prison suspended, § 1.
3. No Sentence to contain a special Order for Commitment to *Perth* Prison, § 2.
4. Prison Board to have Power to remove Prisoners to the General Prison, § 3.
5. And shall select those sentenced to long Terms of Imprisonment, § 4.
6. Prisoners may be confined for One Year or upwards in any other lawful Prison, § 5.

7. Prison Board may remove Prisoners from the General Prison to the local Prisons, § 6.
8. Return of Sentences of Imprisonment to be transmitted to the General Board, § 7.
9. Orders of Prison Board subject to Control of Secretary of State, § 8.
10. Term of Act, § 9.
11. Schedule.

Shipping and Navigation, See Customs, 94.

Ships.

1. For preventing, until the First Day of *May* One thousand eight hundred and forty-five, Ships clearing out from any Port in *British North America*, or in the Settlement of *Honduras*, from loading any Part of their Cargo of Timber upon Deck, 5 & 6 *Vict. c.* 17.
2. No Part of the Cargo of certain Ships laden with Timber to be placed on the Deck. No Vessel to sail without Certificate thereof, § 1.
3. Penalty for placing Timber on Deck. Proviso for Stores; for Removal in case of Leakage or Damage; and for certain Vessels, § 2.
4. Proceedings on Indictments and Informations, § 3.
5. Commissioners of Customs may order Proceedings to be instituted, § 4.
6. Warrants of Commitment to be in the Form or to the Effect in the Schedule, § 5.
7. Continuance of Act, § 6.

Slaves.

1. For extending to the Governors and Officers of the *East India* Company the Powers given by an Act of the Fifth Year of King *George* the Fourth to Her Majesty's Governors and Officers for the more effectual Suppression of the Importation of Slaves into *India* by Sea, 5 & 6 *Vict. c.* 101.
2. Extending Powers of recited Act to Governors of the Presidencies under the *East India* Company's Government, § 1.

Slave Trade.

1. For carrying into effect the Treaty between Her Majesty and the *Argentine* Confederation for the Abolition of the Slave Trade, 5 & 6 *Vict. c.* 40.
2. Commanders of Ships of War to exercise the Right of searching Merchant Vessels of either Nation reasonably suspected of being engaged in the Slave Trade, § 1.
3. Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search, § 2.
4. Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention, § 3.
5. Her Majesty may appoint a Secretary or Registrar to the Mixed Court, § 4.
6. In case of the Death or Incapacity from Illness of any *British* Judge of such Courts, or of the *British* Arbitrator, § 5.
7. Judges and Arbitrators to take an Oath. Form of Oath. Secretary or Registrar to take an Oath, § 6.
8. Judges and Arbitrators may administer Oaths, § 7.
9. Punishing Persons giving false Evidence, § 8.
10. Pendency of Suits before the Judges to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 9.
11. Captors of Vessels shall, after the same are condemned, be entitled to the Portion of the Proceeds belonging to Her Majesty, § 10.
12. A Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned, § 11.
13. Bounties not liable to Payment of Fees, § 12.
14. Mode of obtaining such Bounty, § 13.
15. Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty, § 14.
16. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 15.
17. Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act, § 16.
18. Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Costs and Damages, § 17.
19. Treasury may direct Payment of any Sum awarded to be due on account of unlawful Seizures. Liability of Seizors not taken away, § 18.
20. No Compensation when any Articles specified in the Eighth Article of the Treaty are found on board, § 19.
21. For carrying into effect a Convention between Her Majesty and the Republic of *Hayti* for the more effectual Suppression of the Slave Trade, 5 & 6 *Vict. c.* 41.
22. Convention between *Great Britain* and *France* for Suppression of the Slave Trade. The Provisions of the recited Act extended to the Convention of Accession of the Republic of *Hayti*, § 1.
23. Slaves found on board Vessels captured bearing the *Haytian* Flag to be taken to certain Ports, § 2.
24. *British* Cruisers Share of captured Vessels, § 3.
25. Extending Provisions of 5 *G.* 4. *c.* 113. 11 *G.* 4. & 1 *W.* 4. *c.* 55. and 1 & 2 *Vict. c.* 47. to Vessels seized under this Act, § 4.
26. For better and more effectually carrying into effect Treaties and Conventions with Foreign States for suppressing the Slave Trade, 5 & 6 *Vict. c.* 42.
27. Her Majesty may appoint Commissary Judges and Commissioners of Arbitration. Their Jurisdiction, § 1.
28. The Queen may appoint a Secretary to the Commission Courts, and grant him a Salary; his Authority and Duty, § 2.
29. Governors of Colonies to fill up Vacancies in Commissions *pro tempore*, § 3.
30. Oath to be taken by Commissary Judges and Arbitrators, § 4.
31. Oath to be taken by Secretary or Registrar, § 5.
32. Oaths and Depositions in Judicial Proceedings to be administered by Commissary Judges, &c.; who may summon Witnesses and send for Papers, § 6.
33. Persons giving false Evidence shall be deemed guilty of Perjury. Venue therein, § 7.
34. Pendency of Suits before the Commissioners shall be a Bar to any other Suit, § 8.
35. To continue until the First Day of *August* One thousand eight hundred and forty-three an Act for authorizing Her Majesty to carry into immediate Execution, by Orders in Council, any Treaties for the Suppression of the Slave Trade, 5 & 6 *Vict. c.* 59.

36. To

36. To amend an Act of the Second and Third Years of Her Majesty, for the Suppression of the Slave Trade, 5 & 6 *Vict. c.* 91.
37. Proceeds of Vessels and Cargoes to be paid to such Person or Persons as Treasury may appoint to receive the same, § 1.
38. Net Proceeds to be paid to Captors, § 2.
39. Distribution of Bounty and Prize Money, § 3.
40. Registrars of Vice Admiralty Courts to transmit every Six Months Returns of all Cases adjudged, with State of the Property, § 4.
41. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 5.
42. Where Judgment against the Seizor, or the Seizure relinquished, the Treasury may direct Payment of Costs, &c., § 6.
43. Not to limit or annul the Provisions of 2 & 3 *Vict. c.* 73. § 7.
44. Schedule.
45. To repeal so much of an Act of the Second and Third Years of Her present Majesty, for the Suppression of the Slave Trade, as relates to *Portuguese* Vessels, 5 & 6 *Vict. c.* 114.
46. So much of 2 & 3 *Vict. c.* 73. as relates to *Portuguese* Vessels repealed, except, &c., § 1.
47. Notice of the passing of this Act to be given by the Admiralty and other proper Authority, § 2.
48. Limiting the Duration of the recited Act, § 3.
49. For carrying into effect a Treaty between Her Majesty and the Republic of *Bolivia* for the Abolition of the Slave Trade, 6 & 7 *Vict. c.* 14.
50. Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion, and suspected of being engaged in the Slave Trade, § 1.
51. Ships suspected of having been fitted out for the Purposes of Traffic in Slaves liable to Search, § 2.
52. Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention, § 3.
53. Her Majesty may appoint a Secretary or Registrar to the Mixed Court, § 4.
54. In case of the Death or Incapacity from Illness of any *British* Judge of such Courts, or of the *British* Arbitrator, § 5.
55. The Judges and Arbitrators to take an Oath. Form of Oath. Secretary or Registrar to take Oath, § 6.
56. Judges and Arbitrators may administer Oaths, § 7.
57. Punishing Persons giving false Evidence, § 8.
58. Pendency of Suits before the Judges to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 9.
59. Captors of Vessels shall, after the same are condemned, be entitled to the Portion of the Proceeds belonging to Her Majesty, § 10.
60. Bounty of Five Pounds for every Slave found on board of Vessels seized and condemned, § 11.
61. Bounties not liable to Payment of Fees, § 12.
62. Mode of obtaining such Bounty, § 13.
63. Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty, § 14.
64. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 15.
65. Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act, § 16.
66. Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Costs and Damages, § 17.
67. Treasury may direct Payment of any Sum awarded to be due on account of unlawful Seizures. Liability of Seizors not taken away, § 18.
68. No Compensation to be made when any Articles specified in Eighth Article of Treaty are found on board, § 19.
69. For carrying into effect the Treaty between Her Majesty and the Republic of *Texas* for the Suppression of the *African* Slave Trade, 6 & 7 *Vict. c.* 15.
70. Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion, and suspected of being engaged in the Slave Trade, § 1.
71. In case of Officers of the Republic of *Texas* detaining *British* Vessels, Proceedings to be conducted in the Name of Her Majesty, § 2.
72. Vessels detained in pursuance of the Treaty to be held as engaged in the Slave Trade, § 3.
73. Where a *British* Vessel is seized by an Officer of the Republic of *Texas*, Proceeds may be apportioned according to Tenth Article of Treaty, § 4.
74. A Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned, § 5.
75. Bounties not liable to Payment of Fees, § 6.
76. Mode of obtaining such Bounty, § 7.
77. Where Slaves taken shall not have been condemned or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty, § 8.
78. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 9.
79. Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act, § 10.
80. Where illegal Detention is made, the Lords of the Treasury may award Compensation, § 11.
81. Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Seizor's Costs, § 12.
82. For carrying into effect the Treaty between Her Majesty and the Oriental Republic of the *Uruguay* for the Abolition of the Slave Trade, 6 & 7 *Vict. c.* 16.
83. Commanders of Ships of War to exercise Right of searching Merchant Vessels liable to Suspicion and suspected of being engaged in the Slave Trade, § 1.
84. Ships suspected of having been fitted out for the Purposes of Traffic in Slaves liable to Search, § 2.
85. Her Majesty may appoint Judges and Arbitrators to decide Cases of Detention, § 3.
86. Her Majesty may appoint a Secretary or Registrar to the Mixed Court, § 4.
87. In case of the Death or Incapacity from Illness of any *British* Judge of such Courts, or of the *British* Arbitrator, § 5.
88. Judges and Arbitrators to take an Oath. Form of Oath. Secretary or Registrar to take Oath, § 6.
89. Judges and Arbitrators may administer Oaths, § 7.
90. Punishing Persons giving false Evidence, § 8.
91. Pendency of Suits before the Judges to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 9.
92. Captors of Vessels shall, after the same are condemned, be entitled to the Portion of the Proceeds belonging to Her Majesty, § 10.
93. Bounty of 5*l.* for every Slave found on board of Vessels seized and condemned, § 11.
94. Bounties not liable to Payment of Fees, § 12.
95. Mode of obtaining such Bounty, § 13.
96. Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty, § 14.

97. Parties

97. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 15.
98. Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act, § 16.
99. Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Costs and Damages, § 17.
100. Treasury may direct Payment of any Sum awarded to be due on account of unlawful Seizures. Liability of Seizors not taken away, § 18.
101. No Compensation to be made when any Articles specified in the Eighth Article of the Treaty are found on board, § 19.
102. To continue until the First Day of *August* One thousand eight hundred and forty-four, and to the End of the then Session of Parliament, an Act for authorizing Her Majesty to carry into immediate Execution by Orders in Council any Treaties for the Suppression of the Slave Trade, 6 & 7 *Vict.* c. 46.
103. For carrying into execution a Treaty signed at *London* for the Suppression of the Slave Trade, so far as the same relates to *Great Britain*, *Austria*, *Prussia*, and *Russia*, 6 & 7 *Vict.* c. 50.
104. Equipment Article not to be applied to *Austria*, &c., &c. Officers commanding Ships of Her Majesty, or of Their Majesties the Emperor of *Austria*, King of *Hungary* and *Bohemia*, the King of *Prussia*, and the Emperor of all the *Russias*, being duly authorized, empowered to visit and search Merchant Ships within certain Limits, § 1.
105. *British* Ships suspected of having been fitted out for the Purpose of Traffic in Slaves liable to Search and Detention, § 2.
106. Proceedings against *British* Vessels to be conducted in the Name of Her Majesty, § 3.
107. Vessels equipped for Traffic in Slaves to be held as engaged in the Slave Trade, unless the contrary is proved, § 4.
108. To whom Proceeds of *British* Vessels confiscated shall be paid, § 5.
109. The Trial of Vessels engaged in the Slave Trade, § 6.
110. Punishing Persons giving false Evidence, § 7.
111. Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 8.
112. Vessels condemned to be sold for Her Majesty's Service or broken up, § 9.
113. Captors of Vessels shall, after the same are condemned, be entitled to One Moiety of the Proceeds, § 10.
114. Bounty for Slaves captured, § 11.
115. Bounty on Tonnage of Slave Ships captured and demolished, § 12.
116. Where no Slaves are on board a Ship seized, an additional Bounty to be paid, § 13.
117. Bounties to be paid out of the Consolidated Fund, § 14.
118. Bounties not liable to Payment of Fees, § 15.
119. Proof of Tonnage, § 16.
120. Copy of Sentence of Condemnation to be produced to the Commissioners of the Treasury, § 17.
121. One Moiety of the Bounty only to be paid in certain Cases, § 18.
122. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 19.
123. Regulations and Penalties respecting Prize Agents Accounts extended, § 20.
124. Commissioners of the Treasury may order Payment of Costs awarded for Vessels of Her Majesty detained but not condemned, § 21.
125. The Commissioners of the Treasury may repay to the Seizor of any Vessel not condemned the Expences incurred by him, § 22.
126. No Compensation to be made when any Articles specified in the Ninth Article of the Treaty are found on board, § 23.
127. For carrying into effect the Treaty between Her Majesty and the *Mexican* Republic for the Abolition of the Traffic in Slaves, 6 & 7 *Vict.* c. 51.
128. [The Sections in this and the Two following Acts being the same in effect as the Sections in the foregoing Acts, the Notes are not here inserted.]
129. For carrying into effect the Treaty between Her Majesty and the Republic of *Chile* for the Abolition of the Traffic in Slaves, 6 & 7 *Vict.* c. 52.
130. For carrying into effect the Treaty between Her Majesty and the Queen of *Portugal* for the Suppression of the Traffic in Slaves, 6 & 7 *Vict.* c. 53.
131. For the more effectual Suppression of the Slave Trade, 6 & 7 *Vict.* c. 98.
132. 5 *G.* 4. c. 113. and this Act shall apply to all *British* Subjects, wherever residing, § 1.
133. What Persons are designated by the Term Slaves, § 2.
134. Trial of Offenders against the recited Act and this Act, § 3.
135. Evidence may be taken abroad, and transmitted to the Court of Queen's Bench, § 4.
136. In Cases not prohibited hereby Slaves may be sold or transferred, § 5.
137. Act not to extend to Persons obtaining Slaves by Inheritance, &c., § 6.
138. Commencement of Act, § 7.

See *Slaves*.

Smuggling, See Customs, 32—40, 86, 87.

Soap, See Excise, 1.

Soldiers.

Acts relating to the Army and Marines in general.

1. Temporary or annual Acts for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, 5 & 6 *Vict.* c. 12. 6 & 7 *Vict.* c. 3.
2. Temporary or annual Acts for regulating Her Majesty's Royal Marine Forces while on shore, 5 & 6 *Vict.* c. 13. 6 & 7 *Vict.* c. 4.

See *Railways*.

South Australia, See Australia, 26.

Spirits, See Excise, 2—12.

Spiritual Care of populous Parishes.

1. To make better Provision for the Spiritual Care of populous Parishes, 6 & 7 *Vict.* c. 37.
2. Queen *Anne*'s Bounty Board may lend Ecclesiastical Commissioners for *England* a Sum of Stock, § 1.
3. Bounty Board may lend further Sums of Stock, § 2.
4. Commissioners to pay Dividends half-yearly, § 3.
5. The whole Property of the Commissioners under the Cathedral Acts to be Security for every such Loan, 3 & 4 *Vict.* c. 113. 4 & 5 *Vict.* c. 39.—§ 4.

6. Bounty Board may require Repayment of Capital after Thirty Years, § 5.
7. Commissioners to have full Rights of Ownership over the Lands, &c. vested in them, subject to certain Conditions, § 6.
8. Commissioners to have full Power over Stock, § 7.
9. Stock not to be used, nor Lands sold, without Approval of Her Majesty in Council, § 8.
10. Districts may be constituted for Spiritual Purposes, and are to be endowed to a certain Amount at the least, § 9.
11. Map of District to be annexed to Scheme, and registered, § 10.
12. Minister to be nominated and licensed to District, § 11.
13. Style and Character of Minister; and Power to hold Endowments, § 12.
14. Bishop may license a temporary Place of Worship, § 13.
15. Not to prevent Marriages and Burials in Mother Church, nor affect certain other Rights, § 14.
16. District to become a new Parish upon a Church being consecrated, § 15.
17. Minister to become Perpetual Curate of new Parish, § 16.
18. Churchwardens to be chosen, § 17.
19. Act not to affect Parochial Rights, &c. otherwise than as expressly provided, § 18.
20. Endowment of Minister. Compensation to Incumbent of Mother Church, § 19.
21. Patronage may be conferred upon Contributors to Endowment or to a Church, or their Nominees, § 20.
22. Remaining Patronage to be exercised alternately by Crown and Bishops, § 21.
23. Powers of Bounty Board as to Endowment under 2 & 3 *Ann.* *c.* 11. and 45 *G.* 3. *c.* 84. conferred upon Commissioners for the Purposes of this Act, § 22.
24. Powers of 3 & 4 *Vict.* *c.* 113. and 4 & 5 *Vict.* *c.* 39. extended to this Act, § 23.
25. Church Building Commissioners may make Grants for Purposes of this Act, § 24.
26. So much of 17 *Car.* 2. *c.* 3. as enables Impropriators to augment (repealed by 1 & 2 *Vict.* *c.* 106. *s.* 15.) revived, § 25.
27. Act not to extend to *Scotland* or *Ireland*, § 26.

Spiritual Persons, See Ecclesiastical Corporations.

Spirituous Mixtures and Preparations, See Excise, 2.

Stage Carriages, See Hackney Carriages; Stamp Duties.

Stamp Duties.

1. To repeal the Duties payable on Stage Carriages and on Passengers conveyed upon Railways, and certain other Stamp Duties in *Great Britain*, and to grant other Duties in lieu thereof; and also to amend the Laws relating to the Stamp Duties, 5 & 6 *Vict.* *c.* 79.
2. Duties repealed: On Stage Carriages; Railway Passengers; Bills of Lading; Charter-party; Collations, Presentations, &c. to Benefices, § 1.
3. New Duties to be levied, as set forth in the Schedule. To be under the Commissioners of Stamps and Taxes, § 2.
4. Commissioners to provide Dies, &c. Commissioners may use old Dies to denote the new Duties. Stamps rendered useless by this Act to be allowed, § 3.
5. Accounts to be kept of Money received for the Conveyance of Passengers on Railways, and of Money paid by Persons carrying such Passengers to Proprietors of Railways on account of Fares received or for Use of Railway. Copies of the Accounts to be delivered to Commissioners of Stamps and Taxes, verified by Affidavit, and Duties paid thereon monthly, § 4.
6. Proprietors of Railways to deduct the Duty on the Sums to be paid over to other Proprietors, § 5.
7. Books containing any such Accounts to be open to Inspection of Officers of Stamps. Penalty for refusing to permit Inspection, § 6.
8. Railway Proprietors to give Bond for securing the Duties, § 7.
9. Commencement of Stage Carriage Licences, § 8.
10. Supplementary Licences may be granted to use same Carriage on a different Line of Road. Widow or Child may continue to use Licences granted to deceased Parties. Licences not to be granted to Minors, § 9.
11. Certified Copies of Licences to be Evidence, § 10.
12. Recital of 2 & 3 *W.* 4. *c.* 120. *s.* 30. relating to Stage Carriages plying for Hire without Plates. Recited Act amended, § 11.
13. 2 & 3 *W.* 4. *c.* 120. *s.* 46., excepting Mail Coaches from the Regulations as to Plates, repealed, § 12.
14. No Stage Carriage to carry a greater Number of Passengers than it is constructed to carry. What Number of Passengers a Carriage shall be deemed to be constructed to carry, § 13.
15. The Number of Passengers which a Carriage is constructed to carry to be painted thereon. If any Stage Carriage be used without having the proper Particulars painted thereon, Penalty 10*l.*, § 14.
16. If any greater Number of Passengers be carried than the Carriage is constructed to carry, or than the Particulars specify, Penalty 5*l.*, § 15.
17. Any Constable or Passenger may measure the Seats. Penalty for refusing to permit the measuring of the Seats, 5*l.*, § 16.
18. Number of Passengers allowed to be carried on the Outside of Stage Carriages, § 17.
19. Not to alter Regulations of 2 & 3 *W.* 4. *c.* 120. Recovery of Penalties for Offences relating to Stage Carriages, § 18.
20. Evidence in Prosecutions relating to carrying of Passengers by Stage Carriages, § 19.
21. Reciting 22 *G.* 3. *c.* 48., as to Fire Insurances; 6 & 7 *W.* 4. *c.* 28. and 1 & 2 *Vict.* *c.* 61., as to Deposit of Stock. Fire Insurance Licences to be permanent. Security to be given for Payment of Duties. Security to continue in force so long as the Person to whom the Licence is granted or the Company shall continue to insure. Security to be renewed, § 20.
22. Stamping of Bills of Lading and Charter-parties after signing. Penalty for signing an unstamped Bill of Lading. Charter-parties may be stamped on Payment of the Duty, or Duty and Penalty, within certain limited Periods after the signing thereof, § 21.
23. Persons admitted Members of Inns of Court both in *England* and *Ireland* to be allowed the Stamp Duty charged on Admission in *England*, § 22.
24. A Return of Duty on Probates, &c. to be made in respect of Debts, if claimed in Three Years, § 23.

25. Penalties imposed by the Act how to be recovered. Powers, &c. of former Acts to continue in force, § 24.
26. Construction of Terms used in the Act, § 25.
27. Commencement of Act, § 26.
28. To impose certain Stamp Duties, and to amend the Laws relating thereto, 6 & 7 *Vict. c.* 72.
29. The Duties on Donations and Presentations by Her Majesty to extend to all Donations and Presentations by whomsoever made, § 1.
30. The Certificate of the Value of the Benefice to be written upon the Donation, &c., § 2.
31. Stamp Duty payable on Certificates of Registration of a Design under 6 & 7 *Vict. c.* 65.—§ 3.
32. Extending the Powers of Stamp Acts to Duties in this Act, § 4.
33. The Duties on Marriage Bonds in *Ireland* repealed, and the Duty for a Lease for a Year not to be charged on Leases for Lives of Property of small Value, § 5.

Statutes repealed.

I. *Statutes relating to* appropiating of the Revenue, *in part repealed by 5 & 6 Vict. c.* 1.

Victoria.
4 & 5 Vict. c. 4.
4 & 5 Vict. c. 19.
4 & 5 Vict. c. 29.
4 & 5 Vict. c. 53.
5 & 6 Vict. c. 8.
5 & 6 Vict. c. 11.

II. *Statutes relating to* Stamp Duties in Ireland, *wholly or in part repealed by 5 & 6 Vict. c.* 82.

George III.
47 G. 3. c. 18.
55 G. 3. c. 19.
56 G. 3. c. 56.

George IV.
3 G. 4. c. 117.
9 G. 4. c. 80.

III. *Statutes relating to the* Ordnance Department, and the vesting and Purchase of Lands, &c. for that Department and the Defence of the Realm, *repealed by 5 & 6 Vict. c.* 94.

George III.
44 G. 3. c. 95.

William IV.
2 & 3 W. 4. c. 25.

George IV.
1 & 2 G. 4. c. 69.
3 G. 4. c. 108.

IV. *Statutes relating to* Copyright, *repealed by 5 & 6 Vict. c.* 100.

George III.
27 G. 3. c. 38.
29 G. 3. c. 19.
34 G. 3. c. 23.

Victoria.
2 Vict. c. 13.
2 Vict. c. 17.

V. *Statutes relating to the* Irish Fisheries, *wholly or in part repealed by 5 & 6 Vict. c.* 106. *so far as relates to Ireland.*

Edward IV.
5 Edw. 4. c. 6.

Henry VIII.
28 Hen. 8. c. 22.

Elizabeth.
11 Eliz. c. 4.

Charles I.
10 Car. 1. Sess. 2. c. 24.
10 Car. 1. Sess. 3. c. 14.

William III.
10 W. 3. c. 8.

George I.
2 G. 1. c. 21.
12 G. 1. c. 7.

George II.
5 G. 2. c. 11.

George III.
3 G. 3. c. 35.
12 G. 3. c. 13.
13 & 14 G. 3. c. 41.
15 & 16 G. 3. c. 31.
17 & 18 G. 3. c. 19.
23 & 24 G. 3. c. 40.
26 G. 3. c. 50.
32 G. 3. c. 40.
33 G. 3. c. 50.
36 G. 3. c. 52.
39 G. 3. c. 51.
59 G. 3. c. 109.

George IV.
5 G. 4. c. 64.
7 G. 4. c. 34.
10 G. 4. c. 33.

William IV.
1 W. 4. c. 54.

Victoria.
1 & 2 Vict. c. 76.

VI. *Statutes relating to the* Regulation of Prisons, *wholly or in part repealed by* 6 & 7 *Vict. c.* 26.

George III.
34 G. 3. c. 84.
52 G. 3. c. 44.
56 G. 3. c. 63.
59 G. 3. c. 136.

George IV.
7 & 8 G. 4. c. 33.

William IV.
4 & 5 W. 4. c. 36. ss. 5, 6, 7, & 8.
5 & 6 W. 4. c. 38. ss. 13, 14, & 15.
7 W. 4. & 1 Vict. c. 13.

Victoria.
2 & 3 Vict. c. 56., Part of s. 1, ss. 18, 19, 20, & 21.
5 & 6 Vict. c. 98. ss. 26, 27.
6 & 7 Vict. cc. 3, 4.

VII. *Statutes relating to* Manufactures and Wages of Workmen engaged therein, *wholly or in part repealed by* 6 & 7 *Vict. c.* 40.

William III.
8 & 9 W. 3. c. 36.

Anne.
1 Anne, st. 2. c. 18.
9 Anne, c. 30.

George I.
12 G. 1. c. 34.

George II.
13 G. 2. c. 8.
22 G. 2. c. 27.

George III.
17 G. 3. c. 56.
32 G. 3. c. 44.

VIII. *Statutes relating to the* Regulation of Theatres, *wholly or in part repealed by* 6 & 7 *Vict. c.* 68.

James I.
3 Jac. 1. c. 21.

George II.
10 G. 2. c. 19. (in part)
10 G. 2. c. 28.

George III.
28 G. 3. c. 30.

IX. *Statutes relating to* Attornies and Solicitors, *wholly or in part repealed by* 6 & 7 *Vict. c.* 73.

Edward II.
15 Edw. II. c. 1. (in part)

Henry IV.
4 Hen. IV. c. 18.
4 Hen. IV. c. 19.

Henry V.
1 Hen. V. c. 4. (in part)

Henry VI.
18 Hen. VI. c. 9.
33 Hen. VI. c. 7.

Henry VIII.
32 Hen. VIII. c. 30. (in part)

Elizabeth.
18 Eliz. c. 14. s. 3. (in part)

James I.
3 Jac I.. c. 7.

Anne.
4 & 5 Anne, c. 16. (in part)

George II.
2 G. 2. c. 23.
5 G. 2. c. 18. (in part)
6 G. 2. c. 27.
12 G. 2. c. 13. (in part)
22 G. 2. c. 46. (in part)
23 G. 2. c. 26. (in part)

GEORGE III.
30 G. 3. c. 19. (in part)
37 G. 3. c. 90. (in part)

GEORGE IV.
1 & 2 G. 4. c. 48.
3 G. 4. c. 16.

WILLIAM IV.
1 & 2 W. 4. c. 56. (in part)
5 & 6 W. 4. c. 11. (in part)
6 & 7 W. 4. c. 7. (in part)
7 W. 4. c. 12. (in part)

VICTORIA.
1 Vict. c. 56.
1 & 2 Vict. c. 45. (in part)
1 Vict. c. 16. (in part)
2 & 3 Vict. c. 33. (in part)
3 Vict. c. 16. (in part)
4 Vict. c. 11. (in part)
5 Vict. Sess. 2. c. 10. (in part)
6 Vict. c. 9. (in part)

X. *Statutes relating to* Loan Societies in IRELAND, *repealed by 6 & 7 Vict. c. 91.*

GEORGE IV.
4 G. 4. c. 32.
10 G. 4. c. 42.

WILLIAM IV.
6 & 7 W. 4. c. 55.

VICTORIA.
1 & 2 Vict. c. 78.

XI. *Statutes relating to* Miscellaneous Subjects, *wholly or in part repealed by various Acts.*

Acts repealed.	Relating to	Repealed by
ANNE.		
8 Anne, c. 19.	Copyright.	5 & 6 Vict. c. 45.
GEORGE I.		
1 G. 1. c. 18. (in part)	Salmon Fishery.	6 & 7 Vict. c. 33.
GEORGE II.		
1 G. 2. c. 20. (in part)	Prisons.	5 & 6 Vict. c. 98. § 16.
29 G. 2. c. 5. (I.)	Persons serving the *French* King.	5 & 6 Vict. c. 28. § 3.
GEORGE III.		
3 G. 3. c. 24.	Elections.	6 & 7 Vict. c. 18. § 72.
38 G. 3. (I.) (in part)	Sessions of Peace in *Ireland*.	6 & 7 Vict. c. 81.
41 G. 3. c. 107.	Copyright.	5 & 6 Vict. c. 45.
43 G. 3. c. 99. (in part)	Assessed Taxes.	6 & 7 Vict. c. 24. § 3.
54 G. 3. c. 156.	Copyright.	5 & 6 Vict. c. 45.
55 G. 3. c. 100. (in part)	Game Certificates in *Ireland*.	5 & 6 Vict. c. 81. § 9.
55 G. 3. c. 101. (in part)	Sea Insurances.	5 & 6 Vict. c. 82. § 21.
55 G. 3. c. 125. } 55 G. 3. c. 136. }	*Chelsea* Hospital.	5 & 6 Vict. c. 70.
58 G. 3. c. 43. (in part)	Salmon Fishery.	6 & 7 Vict. c. 33. § 7.
GEORGE IV.		
4 G. 4. c. 64. (in part)	Prisons.	5 & 6 Vict. c. 98. § 9.
6 G. 4. c. 93. § 4.	Consuls abroad.	6 & 7 Vict. c. 94. § 8.
7 G. 4. c. 16. (in part)	*Chelsea* Hospital.	5 & 6 Vict. c. 70.
9 G. 4. c. 60.	Importation of Corn.	5 & 6 Vict. c. 14.
9 G. 4. c. 82. (in part)	Municipal Corporations in *Ireland*.	6 & 7 Vict. c. 93. § 12, 16.
WILLIAM IV.		
2 & 3 W. 4. c. 62. (in part)	Convicts.	6 & 7 Vict. c. 7.
2 & 3 W. 4. c. 120. § 46.	Mail Coaches.	5 & 6 Vict. c. 79. § 12.
3 & 4 W. 4. c. 52. (in part)	The Customs.	5 & 6 Vict. c. 47. § 5, 7, 9, 23. and 6 & 7 Vict. c. 84. § 24.
3 & 4 W. 4. c. 53. § 16.	The Customs.	5 & 6 Vict. c. 47. § 32.
3 & 4 W. 4. c. 59. (in part)	The Customs.	5 & 6 Vict. c. 56. § 10.
3 & 4 W. 4. c. 93. (in part)	Government in *China*.	6 & 7 Vict. c. 80. § 5.
4 & 5 W. 4. c. 75. (in part)	Spirit Duties.	5 & 6 Vict. c. 15. § 4 & 5.
4 & 5 W. 4. c. 89. (in part)	The Customs.	5 & 6 Vict. c. 47. § 46.
4 & 5 W. 4. c. 95.	Government of *Australia*.	5 & 6 Vict. c. 61.
5 & 6 W. 4. c. 53.	Sea Passengers.	5 & 6 Vict. c. 107.
6 & 7 W. 4. c. 72. (in part)	Spirit Duties.	5 & 6 Vict. c. 25.
6 & 7 W. 4. c. 78. (in part)	Consuls abroad.	6 & 7 Vict. c. 94. § 8.
VICTORIA.		
1 & 2 Vict. c. 56. (in part)	Poor in *Ireland*.	6 & 7 Vict. c. 92. § 9 & 10.
1 & 2 Vict. c. 60.	*South Australia*.	5 & 6 Vict. c. 61.
1 & 2 Vict. c. 79.	Hackney Carriages.	6 & 7 Vict. c. 86.
1 & 2 Vict. c. 99.	Levying Fines, &c. in *Ireland*.	6 & 7 Vict. c. 56.
1 & 2 Vict. c. 101. § 12.	Delivery of Coals in the Port of *London*.	6 & 7 Vict. c. ci. § 23.
1 & 2 Vict. c. 113. (in part)	Revenue Officers and Sea Passengers.	5 & 6 Vict. c. 47. § 38. and 5 & 6 Vict. c. 107. § 1.
2 & 3 Vict. c. 18.	Ecclesiastical Houses.	5 & 6 Vict. c. 26.
2 & 3 Vict. c. 73. (in part)	The Slave Trade.	5 & 6 Vict. c. 114. § 3.
2 & 3 Vict. c. 75. & 78. (in part)	Levying Fines in *Ireland*.	6 & 7 Vict. c. 56.
3 & 4 Vict. c. 18. (in part)	Duties on Tobacco.	5 & 6 Vict. c. 93. § 9, 11, 12.
3 & 4 Vict. c. 21.	Sea Passengers.	5 & 6 Vict. c. 107.
3 & 4 Vict. c. 108. (in part)	Municipal Corporations in *Ireland*.	6 & 7 Vict. c. 93.
3 & 4 Vict. c. 113. (in part)	*Welsh* Clergy.	6 & 7 Vict. c. 77. § 5.
4 & 5 Vict. c. 12. (in part)	Commissioners of Woods, &c.	5 & 6 Vict. c. 64.
5 & 6 Vict. c. 7. (in part)	Tithes.	5 & 6 Vict. c. 54.
5 & 6 Vict. c. 15. (in part)	Spirit Duties.	5 & 6 Vict. c. 25. § 9.
5 & 6 Vict. c. 47. (in part)	The Customs.	6 & 7 Vict. c. 84. § 9.
5 & 6 Vict. c. 106. (in part)	*Irish* Fisheries	6 & 7 Vict. c. 56. § 39. and 6 & 7 Vict. c. 79. § 8.
5 & 6 Vict. c. 112. (in part)	*Welsh* Clergy.	6 & 7 Vict. c. 77. § 15.

Stock in Trade, See Poor.

Sudbury (*Borough of*).

1. For appointing Commissioners to inquire into the Existence of Bribery in the Borough of *Sudbury*, 6 & 7 *Vict. c.* 97.
2. Commissioners appointed, § 1.
3. Commissioners to be sworn, § 2.
4. Secretary and Clerks to be appointed, § 3.
5. Place of Meeting, § 4.
6. Inquiry by the Commissioners, § 5.
7. Reports to be laid before Parliament, § 6.
8. Power to send for Persons and Papers, § 7.
9. Persons implicated in Bribery, who may be examined and shall make a faithful Discovery, indemnified, § 8.
10. Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners, § 9.
11. Commissioners to examine on Oath, § 10.
12. Penalty for Non-attendance or refusing to give Evidence, § 11.
13. Penalty for false Swearing, § 12.
14. Expences of the Inquiry, § 13.
15. Limitation of Actions, § 14.

See *Indemnity*, 4.

Sugar.

Annual Acts for continuing Duties on Sugar, 5 & 6 *Vict. c.* 24. 6 & 7 *Vict. c.* 27.

T.

Tariff, See Customs.

Taxes, See Assessed Taxes.

Testimony Perpetuating, See Perpetuating Testimony.

Texas (*Republic of*), See Slave Trade, 69—81.

Theatres.

1. For regulating Theatres, 6 & 7 *Vict. c.* 68.
2. Recited Acts repealed. [See *Statutes repealed*, § VIII.] Proviso as to Licences now in force, § 1.
3. All Theatres for the Performance of Plays must be licensed, § 2.
4. What Licences shall be granted by the Lord Chamberlain, § 3.
5. Fee for Lord Chamberlain's Licence, § 4.
6. Licences may be granted by Justices, § 5.
7. Fee for Justices Licence, § 6.
8. To whom Licences shall be granted, § 7.
9. Rules for the Theatres under the Control of the Lord Chamberlain, § 8.
10. Rules for enforcing Order in the Theatres licensed by the Justices, § 9.
11. Proviso for the Universities of *Oxford* and *Cambridge*, § 10.
12. Penalty on Persons performing in unlicensed Places, § 11.
13. No new Plays or Additions to old ones to be acted until submitted to the Lord Chamberlain, § 12.
14. Fees to be paid for Examination of Plays, &c., § 13.
15. The Lord Chamberlain may forbid any Play, § 14.
16. Penalty for acting Plays before they are allowed or after they have been disallowed, § 15.
17. What shall be Evidence of acting for Hire, § 16.
18. Proof of Licence in certain Cases to lie on the Party accused, § 17.
19. Proceedings begun before passing of Act may be discontinued, § 18.
20. Penalties how to be recoverable, § 19.
21. Appeal, § 20.
22. Appropriation of Penalties, § 21.
23. Limitation of Actions, § 22.
24. Interpretation of Act, § 23.
25. Limits of the Act, § 24.

Tickets of Leave, See Transported Convicts.

Timber Ships, See Ships.

Tithes.

1. To amend the Acts for the Commutation of Tithes in *England* and *Wales*, and to continue the Officers appointed under the said Acts for a Time to be limited, 5 & 6 *Vict. c.* 54.
2. 5 *Vict. c.* 7. in part repealed. Continuance of Tithe Commission, § 1.
3. Agreements may be made pending Proceedings toward an Award, § 2.
4. Parties may make a supplemental Agreement as to Commencement of Rent-charge. Such Agreement to be confirmed, and a Copy deposited, § 3.
5. In making special Adjudication an Account may be taken of Parochial Agreements, § 4.
6. Powers for defining and exchanging Glebe, § 5.
7. Extending Power of giving Land for Tithes, § 6.
8. Confirmation of old Agreements for giving Land for Tithes, § 7.
9. Power to charge Expences of Commutation on Benefices extended, § 8.
10. For settling Questions of Arrears and Costs in Suits in Equity, § 9.
11. The Act 2 & 3 *W.* 4. *c.* 100. not to have any Operation as to any Award of the Commissioners in certain Cases, § 10.
12. Provision for fixing the same Days of Payment of all Parts of the same Rent-charge, § 11.
13. Power to Owner of Rent-charge to let Land taken under Writ of Possession, § 12.
14. Power in certain Cases to use Tithe Commutation Maps for Parochial Purposes, § 13.
15. Power to alter Apportionments, § 14.
16. Copy of Instrument of altered Apportionment to be sent to the Tithe Office, § 15.
17. Remedy for enforcing Payment of Contribution to Rent-charge, § 16.
18. Service of Summons, &c., § 17.
19. Provision for general Avowry in Actions of Replevin for Rent charge, § 18.
20. Irregularity not to vitiate Proceedings, § 19.
21. Act to be construed with 6 & 7 *W.* 4. *c.* 71. Application of certain Provisions, § 20.

Tobacco, See Excise, 13.

Trade, See Possessions abroad.

Traffic in Slaves, See Slave Trade.

Transported Convicts.

1. To amend the Law affecting transported Convicts with respect to Pardons and Tickets of Leave, 6 & 7 *Vict. c.* 7.
2. So much of 2 & 3 *W.* 4. *c.* 62. as respects Pardons and Tickets of Leave repealed, § 1.
3. Manner of granting Pardons, § 2.
4. Holders of Tickets of Leave enabled to sue for Personal Property, § 3.
5. Holders of Tickets of Leave declared incapable of holding Real Property, § 4.
6. Commencement of Act, § 5.

Treaties, See Apprehension of Offenders, 12, 19; Conventions; Slave Trade.

Treating, See Bribery.

Troops (Conveyance of), See Railways.

Turnpikes.

I. Public Acts relating to Turnpike Roads in general.

II. Acts relating to Turnpike Roads in particular Places.

I. *Public Acts relating to Turnpike Roads in general.*

1. To continue until the First Day of *October* One thousand eight hundred and forty-three certain Turnpike Acts, 5 & 6 *Vict. c.* 60.
2. Continuance of Acts referred to until First *October* One thousand eight hundred and forty-three, § 1.
3. To continue until the First Day of *August* One thousand eight hundred and forty-four, and to the End of the then next Session of Parliament, certain Turnpike Acts, 6 & 7 *Vict. c.* 69.

See *Highway Rates.*

II. *Acts relating to Turnpike Roads in particular Places.*

1. ABERDEEN, BANFF, and KINCARDINE. Maintaining, &c. certain Roads in those Counties and making new ones (repealing Act), 5 & 6 *Vict. c.* xxxviii.
2. CUMBERLAND. From *Cockermouth* to *Maryport*, and other Roads therein mentioned, and making new Branch Road (repealing Act), 6 & 7 *Vict. c.* xvi.
3. DERBY. From *Cromford* to *Belper*, and from the Main Road near the River *Amber* to the Road at *Bull Bridge* (repealing Act), 6 & 7 *Vict. c.* xcv.
4. DEVON. From *Plymouth* to *Stonehouse Bridge* and *Plymouth Dock* (amending Acts), 6 & 7 *Vict. c.* lxi.
5. FLINT. Amending Act relating to the *Holywell* District, and making new Roads to communicate, 5 & 6 *Vict. c.* lxviii.
6. HEREFORD. From the Town of *Kington*, and other Roads branching therefrom (repealing Acts), 5 & 6 *Vict. c.* lxxvii.
7. HEREFORD and WORCESTER. Repairing, &c. several Roads leading from *Bromyard*, and other Roads adjoining thereto, and making several new Lines of Road connected therewith (repealing Act), 5 & 6 *Vict. c.* xciv.
8. KENT and SURREY. Amending Act relating to the *New Cross* Roads, 5 & 6 *Vict. c.* xlv.
9. KINCARDINE. From *Stonehaven*, through the *Slug Mount*, to the Bridge at *Cobleheugh* (repealing Acts), 5 & 6 *Vict. c.* lxxv.
10. LANARK. From the South End of the *New Bridge* of *Glasgow*, by or near *Park House*, to *Three Mile House* (repealing Acts), 6 & 7 *Vict. c.* xxxix.
11. From *Inchbelly Bridge* to *Glasgow*, and certain Branch Roads therefrom, 6 & 7 *Vict. c.* lxxx.
12. From *Glasgow* to *Redburn Bridge* (repealing Act), 5 & 6 *Vict. c.* xxv.
13. LANARK, STIRLING, and DUMBARTON. Improving, &c. certain Roads in those Counties, and making new Line of Road, 5 & 6 *Vict. c.* xxxvii.
14. LANARK, AYR, and RENFREW. Maintaining, &c. certain Roads in those Counties and other Purposes (repealing Acts), 5 & 6 *Vict. c.* cxii.
15. LANCASTER. From *Bolton* to *Westhoughton* (repealing Acts), 5 & 6 *Vict. c.* lxxiii.
16. Making, &c. a Road leading from the *Preston* and *Blackburn* Road at *Finnington* in the Township of *Chorley*, 5 & 6 *Vict. c.* c.
17. From the new Wall on the Parade in *Castleton*, through *Middleton*, to the Mere Stone in *Great Heaton* and to *Manchester*; and making a Diversion in the Line of Road (repealing Act), 6 & 7 *Vict. c.* xci.
18. LEICESTER. From *Leicester* to *Narborough*, and from *Leicester* to *Earl Shilton*, and from *Earl Shilton* to *Hinckley* (repealing Acts), 5 & 6 *Vict. c.* lxx.
19. From the Borough of *Leicester* to *Ashby-de la-Zouch* (repealing Acts), 5 & 6 *Vict. c.* lxxiv.
20. LEICESTER and HUNTINGDON. From *Market Harborough* to *Brampton* (amending Act), 5 & 6 *Vict. c.* lxix.
21. LEICESTER and NORTHAMPTON. From the Borough of *Leicester* to the City of *Peterborough* (repealing Acts), 6 & 7 *Vict. c.* xcvi.
22. LINCOLN. Amending Act for repairing, &c. certain Roads leading to and from the City, 5 & 6 *Vict. c.* lxxi.
23. LINCOLN and NORTHAMPTON. From *Spalding High Bridge*, through *Littleworth*, to *James Deeping Stone Bridge* and *Handley's Bridge*, and from *Deeping Stone Bridge* to *Maxey Outgang* (repealing Act), 6 & 7 *Vict. c.* xciv.
24. SALOP. Maintaining the *Church Stretton* and *Longden* Roads (repealing Act), 5 & 6 *Vict. c.* lxxii.
25. STAFFORD. Repairing, &c. certain Roads in the Neighbourhood of *Trentham* and *Stone*, and making new Road from *Trentham* Inn to the *Newcastle under-Lyne* and *Market Drayton* Road, and a new Piece in the Parish of *Trentham* (repealing Acts), 6 & 7 *Vict. c.* xxvi.
26. STIRLING, DUMBARTON, LANARK, and PERTH. Amending Act relating to Roads in those Counties, and making new Road in connexion therewith, 5 & 6 *Vict. c.* xi.
27. SURREY and KENT. Amending Acts for more effectually repairing certain Roads in the Parishes of *Bermondsey*, *Rotherhithe*, and *Saint Paul* and *Saint*

Saint Nicholas Deptford, and making several new Roads connected therewith, 6 & 7 *Vict. c.* cviii.

25. SUTHERLAND and ROSS. More effectually repairing, &c. Roads and Bridges, and regulating Statute Labour in the first-named County, and repairing, &c. a certain Portion of Road in the latter County, 6 & 7 *Vict. c.* lxxxi.

29. WORCESTER, STAFFORD, and SALOP. Repairing several Roads leading to and from the Market House in *Stourbridge*, and several other Roads connected therewith (repealing Act), 5 & 6 *Vict. c.* xcv.

30. YORK. From *Ferrybridge*, through *Wetherby*, to *Boroughbridge* (repealing Acts), 5 & 6 *Vict. c.* lxxxvi.

31. From *Tadcaster* to *Otley* (repealing Act), 5 & 6 *Vict. c.* xciii.

U.

Uruguay (Republic), See Slave Trade, 82.

Usury, See Bills of Exchange.

V.

Van Diemen's Land.

1. To confirm an Act of the Legislature of *Van Diemen's Land* for authorizing the Levy of certain Duties of Customs and on Spirits, 5 & 6 *Vict. c.* 3.
2. Proclamation of 4th *February* One thousand eight hundred and twenty-nine. Colonial Act, 2d *January* One thousand eight hundred and thirty-four. Proclamation confirmed, § 1.
3. Indemnity for levying Rates or Duties under the Proclamation, § 2.

See *New South Wales.*

Victoria Park.

To extend an Act passed in the Fourth and Fifth Years of Her present Majesty, for enabling Her Majesty's Commissioners of Woods to purchase certain Lands for *Victoria Park*, 5 & 6 *Vict. c.* 20.

Victualling Houses, See Public Houses.

Voters, See Registration.

W.

Wages, See Manufacturers.

Warehousing of Goods, See Customs, 50, 54, 91, 92, 96.

Warrants of Attorney.

1. To enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment, 6 & 7 *Vict. c.* 66.
2. In addition to the Book directed to be kept by the recited Act, another Book or Index shall be kept of Names, &c. of Persons to whom Warrants of Attorney are given, which shall be open to Inspection, § 1.

Warwickshire, See *Coventry.*

Western Australia, See *Australia*, 40.

West Indies.

1. To provide for the Increase of the Number of Bishoprics and Archdeaconries in the *West Indies*, and to amend the several Acts relating thereto, 5 & 6 *Vict. c.* 4.
2. Her Majesty empowered, by Letters Patent, to erect Three Dioceses within the Territorial Limits of the Dioceses of *Jamaica* and *Barbadoes*, and to revoke the existing Letters Patent, § 1.
3. Her Majesty empowered to direct Apportionment of the Sums of Money granted for Salaries of the Bishops and Archdeacons of the said Dioceses, § 2.
4. Bishops of Dioceses to apportion Salaries of Ministers, Catechists, and Schoolmasters, § 3.
5. Commissioners of the Treasury to direct Issue of the Money necessary for Salaries of Bishops, &c., § 4.
6. Repeal of Provision in recited Act as to Pensions to Bishops. Exception, § 5.

See *Antigua.*

Westminster, See Coals.

Wheat.

1. To permit, until the Thirty-first Day of *August* One thousand eight hundred and forty-five, Wheat to be delivered from the Warehouse or the Vessel Duty-free, upon the previous Substitution of an equivalent Quantity of Flour or Biscuit in the Warehouse, 5 & 6 *Vict. c.* 92.
2. Warehoused Wheat to be delivered Duty-free upon substituting an equivalent Quantity of Wheat Flour or Biscuit, § 1.
3. Fine Wheat Flour and Biscuit may be deposited in Warehouse, and a Certificate of such Deposit granted, to entitle the Holder to an equivalent Quantity of Warehoused Wheat Duty-free, § 2.
4. Persons making Deposits of Flour and Biscuit to be entitled to have equivalent Quantities of Wheat entered Duty-free from the Vessel, § 3.
5. Notice to be given to the Collector of the Quantity of Wheat required to be delivered from the Warehouse, and of the Day of Delivery, § 4.
6. No Wheat to be delivered Duty-free until the substituted Article has been deposited and the Certificate duly examined, § 5.
7. The substituted Flour and Biscuit to be subject to the Warehousing Laws, but not to be taken out for Home Consumption, § 6.
8. Such Flour and Biscuit not to be re-imported, § 7.
9. Penalties for depositing Articles of inferior Quality, § 8.
10. Term of Act, § 9.
11. Schedule.

12. For

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